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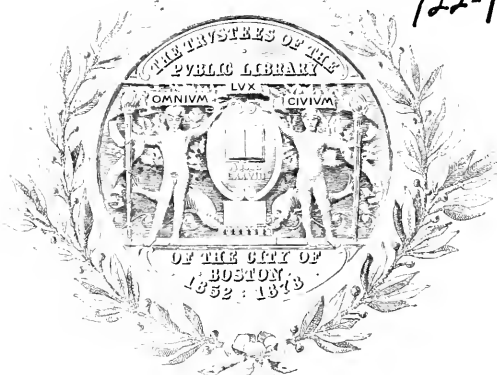


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The Commonwealth of Massachusetts

BUREAU OF STATISTICS

CHARLES F. GETTEMY, Director

LABOR BULLETIN No. 122

(Being Part IV of the Annual Report on the Statistics of Labor for 1917)

LABOR LEGISLATION IN MASSACHUSETTS 1915, 1916, AND 1917

**With Index to Bills affecting Labor introduced during
the session of 1917 and other matter bearing on
the Labor Legislation of the Year, 1917**

(SUPPLEMENTARY TO LABOR BULLETIN No. 104)



SEPTEMBER 1, 1917

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ON

LABOR LEGISLATION IN MASSACHUSETTS.

GENERAL COMPILATIONS:

- *Summary of laws in relation to labor, 1833-1869. In Annual Report, 1870, p. 411-413.
- *Labor legislation from 1833 to 1876. In Annual Report, 1876, p. 263-303.
- *Labor laws (Public Statutes, 1832, and session laws through 1890). In Annual Report, 1890, p. 1-112.
- *Labor laws (Revised Laws, 1902, and session laws through 1906). In Annual Report, 1906, p. 329-388.
- *Labor laws (Revised Laws, 1902, codified labor law, 1909, and session laws through 1909). Labor Bulletin, No. 67, Sept. 1909. 166 p.
- Handbook of the Labor Laws. (Laws in effect at the close of the Legislative Session in 1914. Classified by subjects.) In Annual Report, 1915, Part I; and Labor Bulletin, No. 104, Feb. 1915. 347 p.

YEARLY COMPILATIONS:

- *1877, 1878. In Annual Report, 1879, p. x-xiii.
- *1892. In Annual Report, 1891, p. xxi-xxvii.
- 1893. In Annual Report, 1892, p. xviii-xxxix.
- 1894. In Annual Report, 1893, p. 301-309.
- *1895. In Annual Report, 1894, p. 334-337.
- *1896. In Annual Report, 1895, p. 746-748.
- 1897. In Annual Report, 1896, p. 346-353.
- 1898. In Annual Report, 1897, p. 356-367.
- 1899. In Annual Report, 1898, p. 639-659.
- 1900. In Annual Report, 1899, p. 245-247; and in Labor Bulletin, No. 15, Aug. 1900, p. 123-125.
- *1901. In Labor Bulletin, No. 19, Aug. 1901, p. 115, 116.
- 1902. In Annual Report, 1901, p. 315-357.
- 1903. In Annual Report, 1903, p. 423-427; and (*) Labor Bulletin, No. 27, Aug. 1903, p. 140-142.
- 1904. In Annual Report, 1904, p. 278-289; and Labor Bulletin, No. 32, July, 1904, p. 219, 220.
- *1905. In Annual Report, 1905, p. 538-601; and Labor Bulletin, No. 36, June, 1905, p. 128-130.
- 1906. In Labor Bulletin, No. 42, July, 1906, p. 275-278.
- 1907. In Labor Bulletin, No. 51, July-Aug. 1907, p. 33-35; and Labor Bulletin, No. 58, Mar.-Apr. 1908, p. 135-159.
- 1908. In Labor Bulletin, No. 60, June-July, 1908, p. 229-262.
- *1909. In Labor Bulletin, No. 67, Sept. 1909. 168 p. (See general compilation above.)
- *1910. Labor Bulletin, No. 73, June, 1910. 59 p. (Reprinted in 1911.)
- 1911. Labor Bulletin, No. 84, Oct. 1911. 128 p. (Includes reprint of 1910 legislation.)
- *1912. Labor Bulletin, No. 92, June, 1912. 103 p. (Reprinted in 1913.)
- 1913. In Annual Report, 1913, p. 59-383; and Labor Bulletin, No. 95, Oct. 1913. 325 p. (Includes reprint of 1912 legislation.)
- *1914. In Annual Report, 1914, Part VI; and Labor Bulletin, No. 102, July, 1914. 63 p.
- 1914. In Annual Report, 1914, Part I; and Labor Bulletin, No. 104, Feb. 1915. 347 p. (See general compilation above.)
- 1915. In Annual Report, 1915, Part VII; and Labor Bulletin, No. 110, Aug. 1915. 104 p. (Supplementary to Labor Bulletin No. 104.)
- 1916. In Annual Report, 1916, Part IV; and Labor Bulletin, No. 116, Sept. 1916. 83 p. (Supplementary to Labor Bulletins Nos. 104 and 110.)
- 1917. In Annual Report, 1917, Part IV. and Labor Bulletin, No. 122, Sept. 1917. (Supplementary to Labor Bulletin No. 104: Supersedes Labor Bulletins Nos. 110 and 116.)

*The publications preceded by an asterisk are out of print, but copies may be found in many public libraries. Those publications which remain in print will be mailed to applicants upon request.

PUBLICATION OF THIS DOCUMENT

APPROVED BY THE

SUPERVISOR OF ADMINISTRATION.

The Commonwealth of Massachusetts

BUREAU OF STATISTICS

CHARLES F. GETTEMY, Director

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Figure 1 consists of three subplots, (a), (b), and (c), each showing a 3D visualization of a 1000-dimensional data space. The points are represented by small circles, and the axes are labeled with numbers from 1 to 1000. Subplot (a) shows a dense cloud of points with a central cluster and several outliers. Subplot (b) shows a similar cloud but with a different distribution of outliers. Subplot (c) shows a sparse cloud of points with a clear central cluster and a few outliers.

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LABOR LEGISLATION IN MASSACHUSETTS IN 1915, 1916, AND 1917.

INTRODUCTORY.

This bulletin contains the text of the laws relative to labor, broadly defined, enacted by the Legislature of Massachusetts during the sessions of 1915, 1916, and 1917, and is intended to serve as a supplement ¹ to Labor Bulletin No. 104, entitled "Handbook of Labor Laws in Massachusetts", which consisted of a compilation of the labor laws in effect in the Commonwealth at the close of the legislative session of 1914. Certain other matter, described below, having a direct bearing upon the labor legislation of 1917 is also included in this bulletin.

A survey of the labor legislation enacted in Massachusetts during the three-year period under review shows that no distinctively new principle in the matter of labor legislation was established during the period, and that, for the most part, the laws passed have been merely amendatory in character, *i.e.*, in the nature of corrective legislation such as customarily follows the passage of more comprehensive legislation (*e.g.*, the Workmen's Compensation Act) which characterized the period just prior to the outbreak of the European War. Whether or not the volume of labor legislation since 1914 would have been as meagre had the war not occurred is a matter of conjecture, nevertheless the fact remains that the Legislature during the past three years has evidently sought merely to maintain the *status quo* in the regulation of industry, and, furthermore, where the passage of far-reaching legislation would involve large expenditures of public funds (as would have been the case had a comprehensive system of social insurance been established), the Legislature apparently has not been disposed to embark upon such projects at a time when participation by this country in the war was either imminent or actual. The labor legislation passed during the several years covered by this compilation may be reviewed briefly as follows:

Each of the more important acts passed in 1915 had reference to one of the following subjects, namely: Unemployment; liens for labor; amendments to the Workmen's Compensation Act; further regulation of licensed occupations; a revision of the public school teachers' retirement system; the extension of pensions to various employees of cities and towns; a general extension of the civil service law; the establishment of a department of university extension under the direction and control of the State Board of Education; and the establishment of agricultural schools in Norfolk and Hampshire counties.

¹ The present bulletin virtually supersedes Labor Bulletins Nos. 110 and 116, which contained, respectively, the text of the labor laws passed by the Massachusetts Legislature in 1915 and 1916. The edition of each of these two bulletins has become so nearly exhausted that it has been found advisable to reprint in the present bulletin the text of the labor laws passed in 1915 and 1916. Furthermore, the publication of the labor legislation of 1915, 1916, and 1917 in a single supplement to the "Handbook" enables the reader to locate the provisions of law relative to labor now in effect more readily than would be possible were it necessary to consult three separate supplements in conjunction with the "Handbook."

In 1916 the more important measures enacted were those providing for the reorganization of the Civil Service Commission, with attendant legislation relative to a revision of its rules and additions to its powers of investigation within the classified service. The Civil Service laws were further extended to cover a number of appointive positions in public service. Other important labor enactments were those providing for the abolition of the Joint Board of the State Board of Labor and Industries and the Industrial Accident Board and the transfer of its powers and duties to the State Board of Labor and Industries; the reorganization of certain other departments, having as part of their duties the enforcement of labor laws; the extension of the law relative to the weekly payment of wages to include hotel employees; and rather important changes in the law relative to the assignment of wages. Acts amendatory of earlier statutes relative to pensions, hawkers and pedlers' licenses, employment of women and children, and workmen's compensation, and certain other acts of minor importance were also passed during the session.

During the session of 1917 the acts affecting public employment, both as to increases of salaries and the extension of the provisions of the civil service, outnumbered those of the two previous years, while the total number of acts relative to hours of labor, wages, vacations, etc., in public employment have nearly equalled in number the total of the two preceding years, due in all probability to the recommendation of the Governor in his inaugural address advising a wise extension of the civil service provisions to state, county, and municipal positions analogous to those already within the classified service. Several acts were also passed providing pensions for certain employees of cities and towns. Of special significance as a war-time measure was the passage of the act making lawful "the cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products on the Lord's Day." The provision for the establishment of county industrial farms and for the employment thereon of prison labor may be considered as in line with the movement within recent years to increase the agricultural resources of the State, and not merely as a temporary expedient. Among the rather numerous measures passed, having reference to agricultural and industrial education, the resolve accepting the federal act providing for the promotion of vocational and agricultural education through the co-operation of the Federal and State Governments should receive specific mention.

In this bulletin, as in Bulletin No. 104, to which it is supplementary, the several enactments have been classified by subjects rather than by chapter numbers in order that the legislation on any particular subject may be more readily accessible. In the preparation of such classification it has been necessary to re-arrange to some extent the various acts, chapters, sections, and even parts of sections, by transferring or omitting certain words, phrases, and clauses and by inserting certain matter in order to make the context clear. Each enactment in any of the three years amending an earlier enactment has been given the same paragraph number assigned to the earlier enactment in the Handbook, and those specific words, phrases, etc., which are merely in the nature of amendments have been set in italics so that the effect of the amendment may be readily observed. For purposes of conciseness certain phrases, which for present purposes are non-essential, have been omitted, such omissions being indicated by three points, thus: Wherever any insertion, for the purposes of correlation or explanation, has been made, such insertion has been enclosed in brackets, thus: []. Citations of sections printed in this supplement are given in italic type, enclosed in brackets, at the end of each paragraph, thus: [*Gen. Acts, 1916,*

c. 21, § 1], to indicate where may be found, in the official edition of the Revised Laws or of the Acts and Resolves, the complete text of the sections here presented. Such citations usually include the amendments to the section during the last three years, in addition to its original date of enactment, with the chapter number, wherever such original act has not been repealed.

For the purpose of avoiding a considerable amount of repetition, those sections, the text of which permits of more than one classification, have generally been placed where it is deemed they are most pertinent. In a few instances, however, it was considered advisable to repeat or refer to such section under another caption.

Certain acts passed during the legislative sessions of 1915, 1916, and 1917, which did not specifically amend any part of the text of the law as published in the Handbook, bear, nevertheless, closely upon the subject matter contained therein. In such cases the text of the law has been given the same paragraph number as that in the Handbook to which it most nearly corresponds, accompanied, however, by a capital letter A, B, etc., indicating that such paragraph, while not amending the original paragraph in the Handbook, is supplementary thereto. In other words, these sections have been so designated as to correlate them with the corresponding sections in the Handbook bearing most nearly on the subject matter of the new legislation. All sections stating that an act "shall take effect upon its passage" have been omitted, but those sections which state that the act shall take effect upon a definite date other than that of its passage have been included.

Under "Administrative Provisions" have been printed certain provisions of the laws governing the various State boards and commissions which are more directly concerned with the subject of labor. Special legislation affecting a particular city or town, wherever significant as a labor measure, has been included; especially is this true of provisions relative to the extension of the civil service.

The second main division of this Bulletin consists of an index, in tabular form, to the numerous bills affecting labor which were introduced during the legislative session of 1917; and in this index information is given with reference to the more important stages through which the several bills passed, namely, the committee to which referred, the report of such committee, the final disposition of the bill, and, if enacted, the chapter number assigned thereto, in order that the reader may observe at a glance the principal action taken thereon by the Legislature. Certain bills having merely a general bearing on the subject of labor have been included in this index, but the actual text of the final enactments has been omitted from the first division of this bulletin for the reason that the matter was not deemed of sufficient significance as a labor measure to justify its being printed in full. All bills appropriating money for the use of an administrative body and all bills affecting designated individuals, only, have been excluded. With reference to the character of the legislation proposed it is of particular interest to note that of the bills introduced during the year a comparatively large number had reference to the extension of the civil service law to new branches of the public service.

Approximately 370 bills, or about 13 per cent of the 2,846 bills of all kinds introduced during the session, were in the nature of labor bills, but a large proportion of these bills were proposed as amendments to laws already in effect. The total number of acts and resolves passed during the session, which may be properly classified as labor measures, was 69, (40 General Acts, 19 Special Acts and 10 Resolves). Of the 69 measures 21 were purely amendatory in character.

The third division of this Bulletin contains an opinion of the Attorney General on legislation pending during the session of 1917; and in the fourth division have been reprinted the recommendations concerning labor which appeared in the inaugural address of the Governor.

A table showing the disposition of statutes cited in the text of the acts passed during the legislative sessions of 1915, 1916, and 1917 is appended. By means of this table one may readily locate any specific act or section.

The index appended hereto corresponds closely to the index published in the Handbook and should serve as a means of readily locating by subject any act or section passed during the past three years, regardless of its classification in this compilation.

I.

TEXT OF THE ACTS AFFECTING LABOR PASSED DURING THE
LEGISLATIVE SESSIONS OF 1915, 1916, AND 1917.**A. ADMINISTRATIVE PROVISIONS.****1. CIVIL SERVICE COMMISSION.**

(See also under Public Employment.)

2. Salaries and office hours of the commissioners. — . . . The chairman of the commission shall receive an annual salary of \$2,500 and each of the other commissioners an annual salary of \$2,000, together with the travelling expenses incurred in the performance of their official duties. The commissioners shall devote so much of their time to the work of the commission and shall establish and maintain such office hours as shall be approved by the governor and council. *At least one commissioner shall be present during office hours, except when all the commissioners are engaged elsewhere on business of the commission.* [R. L., c. 19, § 1, as last am. by Acts, 1910, c. 608, and by Gen. Acts, 1916, c. 297, § 1.]

10. Records and annual report. — They [the commissioners] shall keep records of their proceedings and of examinations made by them or under their authority. Recommendations of applicants received by them or by any officer authorized to make appointments or to employ laborers or others, within the scope of such rules, and the examination papers of such applicants, shall be preserved for at least *three* years, after which time any or all application and examination papers of applicants, with accompanying recommendations, may, at the discretion of said commissioners, be destroyed. Such records and recommendations shall, under regulations approved by the governor and council, be open to public inspection. The commissioners shall from time to time suggest to the general court appropriate legislation for the administration and improvement of the civil service and shall annually before the tenth day of January make a report which shall contain any rules adopted under the provisions of this chapter. [R. L., c. 19, § 5, as am. by Acts, 1902, c. 308, and by Gen. Acts, 1915, c. 6.]

11A. Reorganization of the department and powers of the commission. — The commissioners shall, upon the passage of this act, effect such reorganization of their department as may be required to perform the duties prescribed by this act, and may remove in their discretion any officers or employees then in the service of the commission, and may appoint, subject to the provisions of R. L., c. 19, and all acts in amendment thereof or in addition thereto, such officers and employees as may be necessary to the performance of their duties, and may incur other expenses not exceeding such sums as may be appropriated by the general court. [Gen. Acts, 1916, c. 297, § 2.]

11B. Powers of investigation given to the commission. — The commissioners may, from time to time, investigate in whole or in part the classified civil service, and the work, duties and compensation of the officers and employees therein, and the number employed, and the grades, titles, ratings and methods of promotion that have been established, and may report thereon. The commissioners may, at any time, and shall, upon the request of any appointing power in respect to such officers or employees

by it appointed, inquire into the efficiency and conduct of any officers or employees in the classified civil service, and may recommend to the appointing power the removal of any such officers or employees, or make such other recommendations as shall seem fitting in the premises. [*Gen. Acts, 1916, c. 297, § 3.*]

11C. Policemen and firemen not subject to the preceding section. — Nothing contained in § 3 of this act [paragraph 11B] shall apply to policemen or firemen. [*Gen. Acts, 1916, c. 297, § 6.*]

11D. Civil service rules to be revised. — The commission shall forthwith prepare and submit to the governor and council for approval a revision of the civil service rules, and the rules so revised, when approved by the governor and council, shall supersede all rules then existing. [*Gen. Acts, 1916, c. 297, § 4.*]

11E. Eligibility to office of representative of the commission restricted. — Persons holding offices or positions to which they have been elected by the people, or by the aldermen or city council of a city, or by the selectmen of a town, shall not at the same time be eligible to the office of representative of the civil service commission. [*Gen. Acts, 1916, c. 297, § 5.*]

2. STATE BOARD OF LABOR AND INDUSTRIES.

15A. Powers and duties increased to include those of the Joint Board. — The powers and duties of the state board of labor and industries and the industrial accident board, sitting jointly, in accordance with the provisions of Acts, 1913, c. 813, are hereby transferred to the state board of labor and industries. [*Gen. Acts, 1916, c. 308, § 1.*]

20A. Resolve relative to a compilation of the labor laws. — *Resolved*, That the commissioner of labor is hereby relieved from making a compilation of the laws of the commonwealth relative to labor and from recommending amendments thereto, as directed by Res., 1914, c. 36, it appearing that the director of the bureau of statistics has made such a compilation, which is now in the hands of the printer, and that the state board of labor and industries has recommended such changes in the labor laws as meet the approval of the said commissioner. [*Res., 1915, c. 15.*]

25. Number and qualifications of inspectors. — Inspectors and assistant inspectors shall be not over forty-five years of age on the date of their first appointment, but this age limit shall not apply to any reappointment, *or to the first appointment of any person who filed his application for examination by the civil service commission for such position prior to January 1, 1915, and who was not then over forty-five years of age.* . . . [*Acts, 1912, c. 726, § 8, ¶ 2, as am. by Acts, 1913, c. 813, § 8, and by Gen. Acts, 1915, c. 74.*]

29A. Hours and conditions of labor in hotels and restaurants to be investigated. — *Resolved*, That the state board of labor and industries is hereby authorized and directed to investigate the hours and conditions of labor prevailing in hotels and restaurants throughout the commonwealth, and particularly to inquire into and consider the questions involved in certain petitions presented to the general court during the current year, with accompanying bills known as House Bills, Nos. 138 and 1376, providing that employees of hotels and restaurants shall be granted one day's rest in every seven days, and to report the results of its investigation, with recommendations for such new legislation as may seem expedient, to the next general court not later than the tenth day of January. [*Res., 1916, c. 74.*]

29B. Duties with respect to suspension of the labor laws. — A. *Appointment of committee.* The state board of labor and industries shall immediately upon the passage of this act appoint a committee of five persons, none of whom shall be members of said board who shall be approved by the governor; of whom one shall be the commissioner of labor, who shall be chairman, two shall be representatives of employers of labor, and two shall be representatives of wage earners; to which committee all petitions, applications and matters arising under this section shall be forthwith referred. The commissioner of labor shall serve thereon without additional compensation and the other members shall receive such compensation and allowances for expenses as the governor with the consent of the council may determine. Such committee shall be given whatever name the state board of labor and industries may select.¹ Any action taken and all permits granted by said committee shall have the same effect as though taken or granted by said board, which may at any time revoke the authority of said committee, remove any of its members except the commissioner of labor, and may fill any vacancies in said committee, and in the temporary absence of any member thereof, the committee or the commissioner of labor may fill such vacancy temporarily.

B. *Applications for suspension, hearings and permits.* Any employer of labor may make application to the state board of labor and industries or to the committee created by clause A of this section, setting forth that a law or laws of the commonwealth licensing or regulating labor, or the employment of labor, or any law or laws of the commonwealth in any manner affecting conditions of labor, interfere with the prosecution of work which said employer is doing or is about to do, which work is required by an emergency arising out of the existing state of war, and asking that a permit be granted to him suspending the operation of such law or laws, or any part thereof, as applicable to his work or establishment. The committee shall convene and give a hearing upon such application as soon after its receipt as possible, and if in its opinion such emergency exists, it may grant to the applicant such a permit. The permit shall contain such limitations and restrictions as the committee may deem proper to impose, in respect to the length of time during which, and the particular work or establishment in connection with which, such permit shall be effective. The permit shall be revocable at any time by the aforesaid committee and shall in any event become void sixty days after the termination of the existing state of war. The operation of any law or laws or parts thereof, shall be suspended only to the extent provided for in such permit.

C. *Attendance at hearings.* At the hearing the committee shall permit the attendance of representatives of the interested parties and of such other persons as it may deem proper, and shall give notice of the hearing to the interested parties and to such others, as it may determine.

D. *Temporary permits.* Whenever it appears or is represented to the commissioner of labor that a situation exists which requires immediate action or decision before said committee can be called together, he is hereby authorized to grant such permit or take such action as he deems proper, which action so taken or permit so granted by him shall remain in force and effect only until the committee can assemble and give the hearing as heretofore provided and render its decision: *provided*, that in no case shall said temporary action taken or permit granted by the commissioner of labor be valid for a longer period than seventy-two hours.

¹ The name selected for this committee by the Board is the "War Emergency Industrial Commission."

E. *Co-operation of the board and of other departments with the committee.* The entire office force and office equipment of the state board of labor and industries shall be at the disposal of the said committee and shall be subject to its orders in any matters arising under this section; and the advice, assistance, and co-operation of any other department, board or commission of the commonwealth shall, upon request, be immediately extended to said committee. [*Gen. Acts, 1917, c. 342, § 24.*]

3. INDUSTRIAL ACCIDENT BOARD.

35A. Reorganization of the Board. — The industrial accident board, established by Acts, 1911, c. 751, Pt. III, § 1, as am. by Acts, 1912, c. 571, § 6, shall hereafter consist of seven instead of five members. The term of office of the two additional members shall be five years, except that when first appointed one shall be appointed for a term of five years and one for a term of three years. The chairman of the said board shall, from time to time, designate five members to serve as a reviewing board, and three members shall constitute a quorum to decide all matters which are required to be heard by the board. [*Gen. Acts, 1917, c. 297, § 1.*]

38. Duties and powers.¹ — The board may make rules not inconsistent with this act for carrying out the provisions of the act. Process and procedure under this act shall be as *simple and summary* as reasonably may be. The board or any member thereof shall have the power to subpoena witnesses, administer oaths, and to examine such parts of the books and records of the parties to a proceeding as relate to questions in dispute. *Upon the written request of the board or of any member thereof together with interrogatories and cross-interrogatories, if any there be, filed with the clerk of the superior court for any county of this commonwealth, commissions to take depositions of persons or witnesses residing without the commonwealth, or in foreign countries, or letters rogatory to any court in any other of the United States or to any court in any foreign country, shall forthwith issue from the said superior court, as in cases pending in said superior court, and upon the return of the said depositions or answers to letters rogatory the same shall be opened by the clerk of the court which issued the commissions or letters, and the said clerk shall endorse thereon the date upon which any deposition or answer to letters rogatory was received and the same shall forthwith be delivered to the board. No entry fee shall be charged in such cases. . . .* [Acts, 1911, c. 751, Pt. III, § 3, as am. by Acts, 1912, c. 571, § 8, and by Gen. Acts, 1915, cc. 123, 275.]

4. DISTRICT POLICE.

58A. Reorganization of the department to be investigated.² — *Resolved,* That a board of three persons shall be appointed by the governor to investigate the matter of reorganizing the district police and of establishing a state constabulary or police force which would relieve the militia of the commonwealth from all police duty. The board shall report upon the feasibility, expediency and cost of establishing such a state force, or of reorganizing the district police, and shall report to the general court

¹ By Gen. Acts, 1916, c. 308, § 1, the Joint Board of the State Board of Labor and Industries and of the Industrial Accident Board was abolished, and the duties and powers of the Joint Board were transferred to the State Board of Labor and Industries. (See paragraph 15 A.)

² For an act authorizing the Governor to increase temporarily the force of the district police for the more effective protection of persons and property and maintenance of law and order within the commonwealth, see General Acts, 1917, c. 43.

not later than the second Wednesday in January, 1917, with drafts of such legislation, if any, as the board may deem expedient. The members of the board shall serve without compensation, but shall be allowed for clerical assistance and for necessary expenses such a sum, not exceeding \$1,000, as shall be approved by the governor and council. [*Res.*, 1916, c. 92.]

5. MINIMUM WAGE COMMISSION.

(See also under Wages, and Women and Children.)

100. Organization of the commission. — There is hereby established a commission to be known as the Minimum Wage Commission. *It shall consist of three persons, one of whom shall be an employer of female labor and one of whom may be a woman and one a representative of labor, to be appointed by the governor with the advice and consent of the council.* One of the commissioners shall be designated by the governor as chairman. The first appointments shall be made within ninety days after the passage of this act, one for a term ending October 1, 1913, one for a term ending October 1, 1914, and one for a term ending October 1, 1915; and beginning with the year 1913, one member shall be appointed annually for the term of three years from the first day of October and until his successor is qualified. Any vacancy that may occur shall be filled in like manner for the unexpired part of the term. [*Acts*, 1912, c. 706, § 1, as am. by *Gen. Acts*, 1916, c. 303, § 1.]

115A. Posting of information in places of employment. — The minimum wage commission may require employers to post in conspicuous positions in their places of employment such notices as the said commission may issue for the information of employees. [*Gen. Acts*, 1915, c. 65, § 1.]

6. HOMESTEAD COMMISSION.

(See also under Housing of Working People, page 111.)

128. Organization of commission. — A commission is hereby established, to be known as the homestead commission, and to consist of the following persons: — the director of the bureau of statistics, the bank commissioner, the president of the Massachusetts agricultural college, one member of the state *department* of health, to be selected by the *department*, and three other persons to be appointed by the governor, with the advice and consent of the council. The three members of the commission last named shall be appointed in the first place for terms of one, two and three years, respectively, and thereafter their successors shall be appointed for terms of three years. Of the persons so appointed by the governor, one shall be a woman, and one at least shall represent the laboring class. The commission shall report to the next general court, not later than January 10, 1912, a bill or bills embodying a plan and the method of carrying it out whereby, with the assistance of the commonwealth, homesteads or small houses and plots of ground may be acquired by mechanics, factory employees, laborers and others in the suburbs of cities and towns. The members of the commission shall serve without compensation, but shall be allowed such sums for their expenses as may be approved by the governor and council. [*Acts*, 1911, c. 607, § 1, as am. by *Gen. Acts*, 1915, c. 129.]

133B. Homesteads to be provided for citizens. — (a) *Land to be purchased and houses built.* — The homestead commission is hereby authorized, with the consent

of the governor and council, to take or purchase in behalf of and in the name of the commonwealth, a tract or tracts of land for the purpose of relieving congestion of population and providing homesteads, or small houses and plots of ground, for mechanics, laborers, wage earners of any kind, or others, citizens of this commonwealth; and may hold, improve, subdivide, build upon, sell, repurchase, manage and care for such land and the buildings constructed thereon, in accordance with such terms and conditions as may be determined upon by the commission. [*Gen. Acts, 1917, c. 310, § 1.*]

(b) *The commission may sell such homes.* — The commission may sell land acquired hereunder, or any parts thereof, with or without buildings thereon, for cash, or upon such instalments, terms and contracts, and subject to such restrictions and conditions as may be determined upon by the commission, but no tract of land shall be sold for less than its cost, including the cost of any buildings thereon. All proceeds from the sale of land and buildings or other sources shall be paid into the treasury of the commonwealth. [*Gen. Acts, 1917, c. 310, § 2.*]

(c) *Authorization to expend money.* — The homestead commission is hereby authorized to expend a sum not exceeding \$50,000 for the purposes of this act. [*Gen. Acts, 1917, c. 310, § 3.*]

7. OTHER BOARDS, COMMISSIONS, ETC.

In addition to the boards, commissions, etc., named on the preceding pages, the following are also quite directly concerned in the administration of the labor laws: Board of Boiler Rules, Board of Elevator Regulations, State Board of Conciliation and Arbitration, and the Bureau of Statistics. For their respective duties in this connection see Labor Bulletin No. 104 under "Administrative Provisions", pages 21-26, and 30-31.

B. GENERAL PROVISIONS.

1. EMPLOYMENT AND UNEMPLOYMENT.¹

183A. School committee of the city of Boston may conduct courses for the improvement of teachers. — The school committee of the city of Boston may conduct courses for the improvement of teachers or others in its service, or for the training and qualification of persons who are or may become candidates for positions as teachers in special schools or subjects. The committee may employ such persons as it deems expedient in connection with the said courses, and may fix their compensation. [*Sp. Acts, 1915, c. 189.*]

183B. Religious or political belief not to be asked of applicants for positions. — It shall be unlawful for any public school committee or official to inquire concerning, or to require or solicit from an applicant for a position in the public schools any information as to, the religious belief, creed or practice, or as to the political opinions or affiliations of the applicant; and no appointment to such a position shall be made, withheld or in any manner affected by the said considerations.

Violation of the provisions of this act shall be punished by a fine of not more than \$50 for each offence. [*Gen. Acts, 1917, c. 84, §§ 1, 2.*]

¹ For the text of a resolve (Res. 1916, c. 157) providing for the appointment of a special recess commission on social insurance (including unemployment insurance) see paragraph 1411. By the provisions of Res. 1917, c. 1 and Res. 1917, c. 6, the time for making its report by this commission was extended, respectively, to February 1, 1917, and February 15, 1917 (see paragraph 682 A).

196A. Metropolitan Park Commission to provide immediate work on parks, etc. — The metropolitan park commission, for the purpose of providing immediate work on, and continuing the construction, improvement and development of the parks and reservations under its care and control, and to carry out the provisions of Acts, 1893, c. 407, is hereby authorized to expend the sum of \$50,000 as an addition to the Metropolitan Parks Loan.

To meet expenditures made under authority of this act the treasurer and receiver general, with the approval of the governor and council, shall issue scrip or certificates of indebtedness, bearing interest at a rate not exceeding four per cent per annum, to the amount of \$50,000 as an addition to the Metropolitan Parks Loan, and shall add to the existing sinking fund to provide for the payment of the same. Such scrip or certificates of indebtedness shall be issued and additions to said sinking fund shall be assessed and collected in accordance with the provisions of Acts, 1899, c. 419, and acts in amendment thereof and in addition thereto.

The metropolitan park commission in the employment of labor to carry out the purposes of this act shall select the employees either from the state civil service lists or from the lists of the cities and towns in the district: *provided, however*, that preference in employment shall be given to those on the lists of the cities and towns situated in the immediate locality in which the work is being done. [*Gen. Acts, 1915, c. 4, §§ 1, 2 and 3.*]

196B. Metropolitan park commission to provide immediate work on parkways, etc. — The metropolitan park commission, for the purpose of providing immediate work on, and continuing the construction, improvement and development of the parkways and boulevards under its care and control, and to carry out the provisions of Acts, 1894, c. 288, is hereby authorized to expend the sum of \$50,000 as an addition to the Metropolitan Parks Loan, Series Two.

To meet expenditures made under authority of this act the treasurer and receiver general, with the approval of the governor and council, shall issue scrip or certificates of indebtedness, bearing interest at a rate not exceeding four per cent per annum, to the amount of \$50,000, as an addition to the Metropolitan Parks Loan, Series Two, and shall add to the existing sinking fund to provide for the payment of the same. Such scrip or certificates of indebtedness shall be issued and additions to said sinking fund shall be assessed and collected in accordance with the provisions of Acts, 1899, c. 419, and acts in amendment thereof and in addition thereto.

The metropolitan park commission in the employment of labor to carry out the purposes of this act shall select the employees either from the state civil service lists or from the lists of the cities and towns in the district: *provided, however*, that preference in employment shall be given to those on the lists of the cities and towns situated in the immediate locality in which the work is being done. [*Gen. Acts, 1915, c. 5, §§ 1, 2 and 3.*]

196C. State forester to provide employment for certain needy persons. — *Resolved*, That the state forester be directed to provide employment for needy persons deemed by him to be worthy thereof, preference being given to residents of the commonwealth and to persons who have others dependent upon them for support. The moneys authorized to be spent under the provisions of this resolve shall be spent upon the improvement and protection of forests and in any other public work which may in the opinion of the state forester be proper. There shall be allowed and paid out of the treasury of the commonwealth for this purpose the sum of \$25,000, together

with any unexpended balances of the amounts appropriated to be used under the provisions of Acts, 1913, c. 759 and Acts, 1914, c. 596. For the purpose of carrying out the provisions of this resolve, the state forester may appoint his duly accredited agents as special police officers to serve for such period as may be determined by him and subject to removal by him. Such officers shall serve without pay, except their regular compensation as agents or employees of the state forester, and shall receive no fees for services or return of criminal process. They shall have, throughout the commonwealth, the powers of constables and police officers to arrest and detain any person violating the law of the commonwealth, but they shall not have power to serve any process in civil cases. The civil service laws and the rules and regulations made thereunder shall not apply to this resolve or to any action taken hereunder. [*Res.*, 1915, c. 2.]

196D. Appropriation for the employment of certain needy persons by the state forester. — A sum not exceeding \$25,000 is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to be expended under the direction of the state forester, in the employment of certain needy persons, as authorized by [*Res.*, 1915, c. 2], and there is also hereby made available for this purpose the unexpended balances of the appropriations made under the provisions of Acts, 1913, c. 759 and Acts, 1914, c. 596. [*Sp. Acts*, 1915, c. 127.]

196E. Additional appropriation for employment of certain needy persons authorized. — *Resolved*, That the sum of \$50,000 is hereby authorized to be paid out of the treasury of the commonwealth, from the ordinary revenue, to be expended by the state forester in the employment of needy persons under the provisions of [*Res.*, 1915, c. 2], this sum to be in addition to the amounts authorized by the said chapter. [*Res.*, 1915, c. 23.]

196F. Additional appropriation for employment of certain needy persons. — A sum not exceeding \$50,000 is hereby appropriated to be paid out of the treasury of the commonwealth from the ordinary revenue, to be expended under the direction of the state forester in the employment of certain needy persons, as authorized by [*Res.*, 1915, c. 23], the same to be in addition to any amount heretofore appropriated for the purpose. [*Sp. Acts*, 1915, c. 284.]

196G. State forester authorized to accept contributions for continuing relief of certain needy persons. — *Resolved*, That the state forester is hereby authorized to accept, on behalf of the commonwealth, contributions of money from municipalities and individuals, to be used in continuing the employment of certain needy persons, as authorized by [*Res.*, 1915, cc. 2 and 23]. The money so received shall be paid into the treasury of the commonwealth and may be expended by the state forester in addition to the money appropriated by the commonwealth for the purposes authorized by said [*Res.*, 1915, cc. 2 and 23]: *provided*, that none of the money so collected shall be expended after December 1, 1915. [*Res.*, 1915, c. 98.]

2. INDUSTRIAL SAFETY.

GENERAL ACTS.

197. Surgical appliances for employees. — Every person, firm or corporation operating a factory or shop in which machinery is used for any manufacturing or other purpose except for elevators, or for heating or hoisting apparatus, shall at all times keep and maintain, free of expense to the employees, such medical or surgical chest,

or both, as shall be required by the state board of labor and industries, and containing plasters, bandages, absorbent cotton, gauze, and all other necessary medicines, instruments and other appliances for the treatment of persons injured or taken ill upon the premises. *Every such person, firm or corporation, employing one hundred or more persons, shall, if so required by the state board of labor and industries, provide accommodations, satisfactory to said board, for the treatment of persons injured or taken ill upon the premises.* Every person, firm or corporation carrying on a business in a mercantile establishment in which twenty or more women or minors are employed, shall *in the manner aforesaid* provide such medical and surgical chest as the state board of labor and industries may require. A person, firm or corporation violating any provision of this section shall be punished by a fine of not less than \$5 nor more than \$500 for every week during which such violation continues. [Acts, 1909, c. 514, § 104, as am. by Acts, 1914, c. 557 and by Gen. Acts, 1915, c. 216.]

EGRESSES AND PREVENTION OF FIRE.

214. Proper egress from certain buildings, required. — A building which is used, in whole or in part, as a public building, public or private institution, school-house, church, theatre, special hall, public hall, miscellaneous hall, place of assemblage or place of public resort, and a building in which ten or more persons are employed in a factory, workshop, mercantile or other establishment, and an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house which has eight or more rooms, or in which ten or more persons are accommodated, lodge or reside above the second story, the owner, lessee or *mortgagee in possession whereof* is notified in writing by an inspector that the provisions of [Acts, 1913, c. 655] apply thereto, shall be provided with proper egresses or other means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged or resident therein; but no owner, lessee or *mortgagee in possession* of such building shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary and for thirty days has neglected or refused to provide the same. . . . [Acts, 1913, c. 655, § 20, as am. by Gen. Acts, 1917, c. 156, § 1.]

215. Egresses to be kept unobstructed. — . . . The egresses and means of escape shall be kept unobstructed, in good repair and ready for use, and, if the inspector so directs in writing, every such egress shall be properly lighted and provided with a sign having on it the word "Exit" in letters not less than five inches in height, and so made and placed as plainly to indicate to persons within the building *the situation* of such egresses; stairways shall have suitable hand-rails; egress doors and windows shall open outwardly, and women or children shall not be employed in a factory, workshop, mercantile or other establishment, in a room above the second story from which there is only one egress. The certificate of the inspector shall be conclusive evidence of a compliance with the said requirements. Portable seats shall not be allowed in the aisles or passageways of such buildings during any service or entertainment held therein. . . . [Acts, 1913, c. 655, § 20, as am. by Gen. Acts, 1917, c. 156, § 1.]

233A. Persons aggrieved may have a court hearing. — Whoever is aggrieved by the order, requirement, or direction of a building inspector of the building inspection department of the district police, may, within *thirty* days after the service thereof,

appeal to a judge of the superior court for the county in which the building to which such order, requirement or direction relates is situated, for an order forbidding its enforcement; and after such notice as said court shall order to all parties interested, a hearing may be had before the court at such early and convenient time and place as shall be fixed by said order; or the court may appoint three disinterested persons, skilled in the subject-matter of the controversy, to examine the matter and hear the parties; and the decision of said court, or the decision, in writing and under oath, of a majority of said experts, filed in the office of the clerk of courts in said county within ten days after such hearing, may alter, annul or affirm such order, requirement or direction. Such decision or a certified copy thereof shall have the same authority, force and effect as the original order, requirement or direction of the inspector. If such decision annuls or alters the order, requirement or direction of the inspector, the court shall also order the inspector not to enforce his order, requirement or direction, and in every case the certificate required by law shall thereupon be issued by said court or by said experts. [*Acts, 1913, c. 655, § 55, as am. by Gen. Acts, 1917, c. 156, § 2.*]

236A. Laboratory for the use of the detective department. — From and after December 1, 1914, there may be expended annually from the treasury of the commonwealth, under the direction of the chief of the district police, a sum not exceeding \$500 for the maintenance of a laboratory for the use of the detective department of the district police in the enforcement of the laws relative to explosives and inflammable fluids and compounds. [*Gen. Acts, 1915, c. 220.*]

236B. Enforcement of statutes relative to explosives and inflammable fluids. — There shall annually be allowed and paid out of the treasury of the commonwealth, from the first day of December, 1915, a sum not exceeding \$2,750, to be expended by the chief of the district police for the employment of expert assistance to aid in the enforcement of the statutes relative to explosives and inflammable fluids and compounds. [*Acts, 1914, c. 421, § 1, as am. by Gen. Acts, 1916, c. 65, § 1.*]

STEAM BOILERS.

279. Daily record of boiler to be kept. — . . . The person in charge of a stationary steam boiler upon which the safety valve is set to blow off at more than 25 pounds pressure to the square inch, except boilers upon locomotives, motor road vehicles, boilers in private residences, boilers in apartment houses of less than five apartments, boilers under the jurisdiction of the United States, boilers used for agricultural purposes exclusively, and boilers of less than nine horse power, shall keep a daily record of the boiler, its condition when under steam and of all repairs made and work done on it, upon forms to be obtained upon application from the boiler inspection department. These records shall be kept on file and shall be accessible at all times to the members of the boiler inspection department. [*Acts, 1911, c. 562, § 7, repealed and reenacted as Gen. Acts, 1915, c. 259, § 10.*]

3. INDUSTRIAL SANITATION.

GENERAL ACTS.

311A. Furnishing of lockers in certain factories. — (a) *Employees who make a substantial change in clothing before working to have lockers.* — In any mercantile or manufacturing establishment or hotel in which the nature of the work renders it necessary for any or all employees, before beginning work, to make a substantially complete change of clothing, exclusive of underclothing, separate lockers, closets or other receptacles, each with a lock and key, shall be provided for the use of such employees. [*Gen. Acts, 1916, c. 115, § 1, as am. by Gen. Acts, 1917, c. 72, § 1.*]

(b) *Board of Labor and Industries to enforce the act.* — It shall be the duty of the state board of labor and industries to investigate all reported violations of this act, and to enforce the same by prosecution. [*Gen. Acts, 1916, c. 115, § 2.*]

(c) *Penalty.* — Any violation hereof shall be punished by a fine of not less than \$5 or more than \$20 for each offence. [*Gen. Acts, 1916, c. 115, § 3.*]

VENTILATION.

329. Prosecution for violating certain laws relative to factories and workshops. — *Inspectors of the state board of labor and industries*, upon receipt of notice in writing, signed by any person having knowledge of the facts, that any factory or workshop as aforesaid is not provided with the apparatus prescribed in [Acts, 1909, c. 514, §§ 86, 87], shall visit and inspect such factory or workshop, and for that purpose they are authorized to enter any such factory or workshop during working hours, and if they ascertain, in the foregoing or in any other manner, that the owner, proprietor or manager thereof has failed to comply with the provisions of said sections, they shall make complaint to a court or judge having jurisdiction, and cause such owner, proprietor or manager to be prosecuted. [Acts, 1909, c. 514, § 89, as affected by Acts, 1912, c. 726, and as am. by Gen. Acts, 1915, c. 116.]

330. Penalties for violating the laws relative to sanitary devices in factories. — Whoever fails to comply with any provision of [Acts, 1909, c. 514] §§ 83 to 89 *inc.*, shall, for the first offence be punished by a fine of not less than \$25 nor more than \$100, and, for a second offence he shall be punished by the fine aforesaid or by imprisonment in jail for not more than sixty days or by both such fine and imprisonment. [Acts, 1909, c. 514, § 90, as am. by Gen. Acts, 1915, c. 69.]

TOILET FACILITIES.

342. Drinking water to be provided for employees. — All *industrial* establishments within this commonwealth shall provide fresh and pure drinking water to which their employees shall have access during working hours. Any person, firm, association or corporation owning, in whole or in part, managing, controlling or superintending any *industrial* establishment in which the provisions of this section are violated shall, upon complaint of an *inspector of the state board of labor and industries*, of the board of health of the city or town, or of the selectmen of the town in which the establishment is located be punished by a fine of \$100 for each offence. [Acts, 1909, c. 514, § 78, as affected by Acts, 1912, c. 726, and as am. by Gen. Acts, 1915, c. 117.]

4. WOMEN AND CHILDREN.¹

SCHOOL ATTENDANCE AND ATTENDANCE OFFICERS.

378. Compulsory school attendance. — Every child between seven and fourteen years of age, every child under sixteen years of age who does not possess such ability to read, write and spell in the English language as is required for the completion of the fourth grade of the public schools of the city or town in which he resides, and every child under sixteen years of age who has not received an employment certificate as provided in this act and is not engaged in some regular employment or business for at least six hours per day or has not the written permission of the superintendent of schools of the city or town in which he resides to engage in profitable employment at home, shall attend a public day school in said city or town or some other day school approved by the school committee, during the entire time the public schools are in session, subject to such exceptions as are provided for in R. L., c. 44, §§ 4, 5, 6, R. L., c. 42, § 3, as am. by Acts, 1902, c. 433, Acts, 1911, c. 537 [and Acts, 1913, c. 779]; but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable, or who is being otherwise instructed in a manner approved in advance by the superintendent of schools or the school committee. The superintendent of schools, or teachers in so far as authorized by said superintendent or by the school committee, may excuse cases of necessary absence for other causes not exceeding *seven* day sessions or *fourteen* half-day sessions in any period of six months. For the purposes of this section, school committees shall approve a private school only when the instruction in all the studies required by law is in the English language, and when they are satisfied that such instruction equals in thoroughness and efficiency, and in the progress made therein, the instruction in the public schools in the same city or town; but they shall not refuse to approve a private school on account of the religious teaching therein. [R. L., c. 44, § 1, as last am. by Acts, 1913, c. 779, § 1, and by Gen. Acts, 1915, c. 81, § 1.]

379. Obligations of parents and guardians. — Every person having under his control a child as described in [R. L., c. 44] § 1, shall cause him to attend school as therein required, and, if he fails for *seven* day sessions or *fourteen* half-day sessions within any period of six months while such control obtains, to cause such child so to attend school, he shall, upon complaint by an attendance officer and conviction thereof, be punished by a fine of not more than \$20, and no physical or mental condition which is capable of correction, or which renders the child a fit subject for special instruction at public charge in institutions other than public day schools, shall avail as defence under the provisions of this or the preceding section, unless it shall be made to appear that the defendant has employed all reasonable measures for the correction of the condition and the suitable instruction of the child. . . . [R. L., c. 44, § 2, as am. by Acts, 1913, c. 779, § 2, and by Gen. Acts, 1915, c. 81, § 2.]

384. Commonwealth to pay tuition. — . . . For the tuition in the public schools in any city or town of any child between the ages of five and fifteen years who shall be placed elsewhere than in his own home by the state board of charity, or by the trustees of the Massachusetts training schools, or kept under the control of either of said boards in such city or town, the commonwealth shall pay to said city or town,

¹ See also under Industrial Safety and Sanitation. Those acts only which refer specifically to women and children have been included under the above heading. For acts not so limited in scope see Table of Contents.

and for such tuition of any such child so placed by the trustees for children of the city of Boston, or so kept under the control of said trustees, the city of Boston from its appropriation for school purposes, shall pay to said city or town *seventy-five* cents for each week of five days, or major part thereof, of attendance of every such child in the public schools. . . . [R. L., c. 44, § 4, as last am. by Acts, 1913, c. 779, § 4, and by Gen. Acts, 1915, c. 78.]

390. Compulsory attendance of certain illiterate minors at evening schools.

— Every illiterate minor between sixteen and twenty-one years of age, *except married women*, shall attend some public evening school in the city or town in which he resides for the whole time during which the public evening schools are in session: *provided*, that such city or town maintains a public evening school. Attendance at a public day school, or at a private school approved for the purpose by the school committee, shall exempt such minor from attending a public evening school. This act shall not affect any existing laws regarding the compulsory school attendance of illiterate minors or their employment, but shall be in addition to such laws. [Acts, 1913, c. 467, § 1, as am. by Gen. Acts, 1916, c. 82, § 1.]

EMPLOYMENT OF WOMEN AND CHILDREN.

408. Definitions of words and phrases. — The following words and phrases as used in all laws relative to the employment of labor shall, unless a different meaning is plainly required by the context, have the following meanings: —

.
 “Co-operative courses” shall mean courses approved as such by the board of education and conducted in public schools in which technical or related instruction is given in conjunction with practical experience by employment in a co-operating factory, manufacturing, mechanical or mercantile establishment or workshop. [Acts, 1909, c. 514, § 17, as last am. by Acts, 1912, c. 191, and by Gen. Acts, 1916, c. 95, § 1.]

410. Employment certificate for minors between 14 and 16 years of age. —

No child between fourteen and sixteen years of age shall be employed or be permitted to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment unless the person, firm or corporation employing such child procures and keeps on file accessible to the attendance officers of the city or town, to agents of the board of education, and to the state board of labor and industries or its authorized agents or inspectors, the employment certificate as hereinafter provided issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building in which such children are employed: *provided, however*, that children who are over fourteen but under sixteen years of age shall be permitted to work in mercantile establishments on Saturdays between the hours of seven in the morning and six in the evening, without such certificate; and, *provided, further*, that pupils in co-operative courses in public schools, as defined in section seventeen of this act [see paragraph 408] may be employed by any co-operating factory, manufacturing, mechanical or mercantile establishment or workshop upon securing from the superintendent of schools a special certificate covering this type of employment. On termination of the employment of a child whose employment certificate is on file, said certificate shall be returned by the employer within two days after said termination to the office of the superintendent of

schools from which it was issued. [Acts, 1909, c. 514, § 57, as am. by Acts, 1913, c. 779, § 15, and by Gen. Acts, 1916, c. 95, § 2.]

415. Penalties for violation of law as to employment of children. — Whoever employs a person under the age of sixteen years, and whoever procures or, having under his control a person under sixteen years of age, permits such person to be employed in violation of the provisions of [Acts, 1909, c. 514, §§ 56 or 57], shall for each offence be punished by a fine of not less than \$10 nor more than \$50, or by imprisonment for not more than thirty days; and whoever continues to employ a person under sixteen years of age in violation of the provisions of either of [the above] sections, after being notified thereof by a school attendance officer or by an inspector appointed by the state board of labor and industries, shall for every day thereafter while such employment continues be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than sixty days; and whoever forges, or procures to be forged, or assists in forging a certificate of birth or other evidence of the age of such person, and whoever presents or assists in presenting a forged certificate or evidence of birth to the superintendent of schools or to a person authorized by law to issue certificates, for the purpose of fraudulently obtaining the employment certificate required by this act, shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than one year, or by both such fine and imprisonment. Whoever, being authorized to sign an employment certificate, knowingly certifies to any materially false statement therein shall be punished by a fine of not less than \$10 nor more than \$200. *Whoever, without authority, alters an employment certificate after the same is issued shall be punished by a fine of \$10.* [Acts, 1909, c. 514, § 61, as last am. by Acts, 1913, c. 779, § 19, and by Gen. Acts, 1915, c. 70.]

417. School records. — The school record required by [Acts, 1913, c. 779, § 16] shall be filled out and signed by the principal or teacher in charge of the school which the child last attended and shall be furnished only to a child who, after due examination and investigation, is found to be entitled thereto. Said school record shall state the grade last completed by such child and the studies pursued in completion thereof. It shall state the number of weeks during which such child has attended school during the twelve months next preceding the time of application for said school record. It shall also give the name, date of birth, and the residence of the child as shown on the records of the school and the name of the parent, guardian or custodian. In case it is found to be impossible to obtain said school record from the principal or teacher in charge of the school which such child last attended, the requirement of a school record may be waived. No such school record shall be issued or accepted and no employment certificate shall be granted unless the child possesses the educational qualifications enumerated in R. L., c. 44, § 1, as amended by [Acts, 1913, c. 779, § 1]: *provided, however, that children who are over fourteen but under sixteen years of age and who do not possess such ability to read, write and spell in the English language as is required for the completion of the fourth grade of the public schools of the city or town in which they reside may be granted an employment certificate good for the summer vacation, subject to all other provisions relating to the employment of children between fourteen and sixteen years of age.* No such school record shall be issued or accepted unless the child has regularly attended the public schools or other lawfully approved schools for not less than one hundred and thirty days after becoming thirteen years of age: *provided, however, that the school record may be accepted in the case of a person who*

has been an attendant at a public day school or other lawfully approved school for a period of not less than seven years, if in the opinion of said superintendent such person is mentally incapable of acquiring the educational qualifications herein prescribed; and *provided, further*, that the superintendent of schools shall have authority to suspend this requirement in any case when, in his opinion, the interests of the child will best be served by such suspension. [Acts, 1909, c. 514, § 59, as am. by Acts, 1913, c. 779, § 17, Acts, 1914, c. 580, and by Gen. Acts, 1916, c. 66.]

418. — Educational certificates for minors between 16 and 21 years of age. — No child who is over sixteen and under twenty-one years of age shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment, *except as provided for pupils in co-operative courses, approved as such by the board of education and conducted in public schools*, unless his employer procures and keeps on file an educational certificate showing the age of the child and his ability or inability to read and write as hereinafter provided. Such certificates shall be issued by the person authorized by this act to issue employment certificates. . . . [Acts, 1909, c. 514, § 66, as am. by Acts, 1913, c. 779, § 23, and by Gen. Acts, 1916, c. 95, § 3.]

437. Regulating bootblacking and other street trades. — Repealed by Gen. Acts, 1916, c. 242, § 4. Re-enacted in new form as follows: — The mayor and aldermen or selectmen may make regulations *consistent with the general laws* relative to the exercise of the trade of boot-blacking by minors, and to the sale or barter by minors of any goods, wares or merchandise the sale of which is permitted by § 15, and may prohibit such sales or such trade, or may require a minor to obtain from them a *permit* therefor to be issued on terms and conditions prescribed in such regulations: *provided*, that in the case of persons under the age of *sixteen years* in the cities of the commonwealth the foregoing powers shall be vested in and exercised by the school committee. *No badge or permit issued to a minor under the provisions of this section, or of Acts, 1913, c. 831, §§ 11-15 inclusive shall authorize the sale by a minor of any article other than those enumerated in R. L., c. 65, § 15.* A minor who sells such articles or exercises such trade without a *permit*, if one is required, or who violates the conditions of his *permit* or any provision of said regulations shall be punished by a fine of not more than \$10 for each offence. Any person who, having a minor under his control, knowingly permits him to violate any provision of this act, and any person who procures or employs a minor to violate any provision of this act, and any person who either for himself or as agent of any other person or of any corporation knowingly furnishes or sells to any minor any of the articles *aforsaid* with knowledge that the minor intends to sell said articles in violation of the provisions of this act, after having received written notice from the school committee that the minor is *not authorized to sell said articles*, shall be punished by a fine of not more than \$200, or by imprisonment for not more than six months. [Gen. Acts, 1916, c. 242, § 4.]

449. Regulation of sales by minors. — Repealed by Gen. Acts, 1916, c. 242, § 5. Re-enacted in new form as follows: A parent or other person who employs a minor in peddling without a *permit* or license, if one is required, or who, having the care or custody of a minor, permits him to engage in such employment, shall be punished by a fine of not more than \$200 or by imprisonment for not more than six months. [Gen. Acts, 1916, c. 242, § 5.]

WAGES AND HOURS OF WOMEN AND CHILDREN.

462. Hours of labor, women, and minors under 18 years of age.¹ — No child under eighteen years of age and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing, mercantile, mechanical establishment, telegraph office or telephone exchange, or by any express or transportation company, more than ten hours in any one day; and in no case shall the hours of labor exceed fifty-four in a week except that in manufacturing establishments where the employment is by seasons, *and the state board of labor and industries shall determine what employments are seasonal*, the number of such hours in any week may exceed fifty-four, but not fifty-eight, provided that the total number of such hours in any year shall not exceed an average of fifty-four hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed in more than one such place the total number of hours of such employment shall not exceed fifty-four hours in any one week. . . . [Acts, 1909, c. 514, § 48, as last am. by Acts, 1913, c. 758, and by Gen. Acts, 1916, c. 222.]

463. Notices to be posted showing hours of labor. — . . . Every employer, except those employers hereinafter designated, shall post in a conspicuous place in every room in which such persons² are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends or, in the case of mercantile establishments and of establishments exempted from the provisions of [Acts, 1909, c. 514], §§ 67 and 68, the time, if any, allowed for meals. The printed forms of such notices shall be provided by the state board of labor and industries, after approval by the attorney-general. The employment of any such person at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost on a previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be authorized until a written report of the day and hour of its occurrence and its duration is sent to the state board of labor and industries, *nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday*. Every employer engaged in furnishing public service or in any other kind of business in respect to which the state board of labor and industries shall find that public necessity or convenience requires the employment of children under the age of eighteen or women by shifts during different periods or parts of the day, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. Printed forms of such notices shall be provided by the state board of labor and industries, after approval by the attorney-general. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and by officers charged with the enforcement of the law. In cases of extraordinary emergency as defined by Acts, 1911, c. 494,

¹ For a resolve relative to an investigation by the State Board of Labor and Industries of the hours and conditions of labor of employees in hotels and restaurants, see paragraph 29 A.

² Refers to children under 18 years of age and women.

§ 1 or extraordinary public requirement, the provisions of this act shall not apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated; but in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the state board of labor and industries. [*Acts, 1909, c. 514, § 48, as last am. by Acts, 1913, c. 758, and by Gen. Acts, 1915, c. 57.*]

474. Hours of labor of certain minors. — No boy under the age of eighteen years and no girl under the age of twenty-one years shall be employed or permitted to work in, about or in connection with any [factory, workshop, manufacturing, mechanical or mercantile establishment, barber shop, bootblack stand or establishment, public stable, garage, brick or lumber yard, telephone exchange, telegraph or messenger office or in the construction or repair of buildings, or in any contract or wage-earning industry carried on in tenement or other houses, Acts, 1913, c. 831, § 1] for more than six days in any one week, nor more than fifty-four hours in any one week, nor more than ten hours in any one day, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening, nor in the manufacture of textile goods after the hour of six o'clock in the evening: *provided, however, that girls under the age of twenty-one years may be employed as operators in regular service telephone exchanges until, but not after, the hour of eleven o'clock in the evening.* [*Acts, 1913, c. 831, § 9, as am. by Gen. Acts, 1917, c. 294.*]

478. Intervals from work for meals. — No woman or person under eighteen years of age shall be employed for more than six hours at one time in a factory or workshop in which five or more such persons are employed without an interval of at least *forty-five* minutes for a meal; but such person may be so employed for not more than six and one half hours at one time if such employment ends not later than one o'clock in the afternoon and if he or she is then dismissed from the factory or workshop for the remainder of the day; or for not more than seven and one half hours at one time if he or she is allowed sufficient opportunity for eating a lunch during the continuance of such employment and if such employment ends not later than two o'clock in the afternoon, and he or she is then dismissed from the factory or workshop for the remainder of the day. [*Acts, 1909, c. 514, § 68, as am. by Gen. Acts, 1917, c. 110.*]

MISCELLANEOUS.

489. Moving of heavy receptacles by female employees. — Boxes, baskets and other receptacles which with their contents weigh seventy-five pounds or over and which are to be moved by female employees in any manufacturing or mechanical establishment, shall be provided with pulleys or casters connected with such boxes or other receptacles so that they can be moved easily from place to place in such establishments. [*Acts, 1913, c. 426, § 1, as am. by Acts, 1914, c. 241, and by Gen. Acts, 1915, c. 27.*]

495. Medical chests in mercantile establishments where women or minors are employed. — . . . Every person, firm or corporation carrying on a business in a mercantile establishment in which twenty or more women or minors are employed, shall *in the manner aforesaid* [at all times keep and maintain free of expense to the employees] such medical and surgical chest as the state board of labor and industries may require. . . . [*Acts, 1909, c. 514, § 104, as am. by Acts, 1914, c. 557, and by Gen. Acts, 1915, c. 216.*]

5. WAGES.

GENERAL ACTS.

497. Weekly payment of wages. — Every person, firm or corporation engaged in carrying on a *hotel in a city, or a factory, workshop, manufacturing, mechanical or mercantile establishment, mine, quarry, railroad or street railway, or a telephone, telegraph, express or water company, or in the erection, alteration, repair or removal of any building or structure, or the construction or repair of any railroad, street railway, road, bridge, sewer, gas, water or electric light works, pipes or lines*, shall pay weekly each employee engaged in his or its business the wages earned by him to within six days of the date of said payment, but any employee leaving his or her employment, shall be paid in full on the following regular pay day; and any employee discharged from such employment shall be paid in full on the day of his discharge, or in the city of Boston as soon as the provisions of law requiring pay rolls, bills and accounts to be certified shall have been complied with; and the commonwealth, its officers, boards and commissions shall so pay every mechanic, workman and laborer who is employed by it or them, and every person employed by it or them in any penal or charitable institution, and every county and city shall so pay every employee who is engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee who is absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. . . . [Acts, 1909, c. 514, § 112, as last am. by Gen. Acts, 1915, c. 75, and by Gen. Acts, 1916, c. 229.]

499. Prosecution for violations of the law relative to weekly payment of wages. — The *state board of labor and industries* may make a complaint against any person for a violation of the provisions of [Acts, 1909, c. 514, § 112]. Complaints for such violation shall be made within *three months* after the date thereof, and, on the trial, no defence for failure to pay as required, other than the attachment of such wages by the trustee process or a valid assignment thereof or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him, shall be valid. The defendant shall not set up as a defence a payment of wages after the bringing of the complaint. An assignment of future wages which are payable weekly under the provisions of this act shall not be valid if made to the person from whom such wages are to become due or to any person on his behalf or if made or procured to be made to another person for the purpose of relieving the employer from the obligation to pay weekly. The word "person" in this section shall include the corporations, contractors, persons and partnerships described in [Acts, 1909, c. 514, § 112]. [Acts, 1909, c. 514, § 113, as am. by Gen. Acts, 1916, c. 14.]

499A. Weekly payment of wages, employees may petition for. — A justice or clerk of a police, municipal or district court, or a trial justice may, upon the application of any employee issue a summons to an employer to appear and show cause why a warrant should not issue against him for a violation of Acts, 1909, c. 514, § 112. Upon the return of such summons and after a hearing the justice may issue a warrant upon the complaint of any such employee. [Gen. Acts, 1915, c. 214.]

499B. Employees of trust companies not to receive fees other than wages

or salaries. — Other than the usual salary or director's fee paid to any officer, director or employee of a trust company, and other than a reasonable fee paid by a trust company to an . . . employee for services rendered to the company, no . . . employee, or attorney of a trust company shall be a beneficiary of or receive, directly or indirectly, any fee, commission, gift, or other consideration for or in connection with any transaction or business of the trust company. Nothing contained in this section shall be construed as forbidding the receipt of interest on a deposit made by any such . . . employee, or as prohibiting any such . . . employee from borrowing from the trust company in accordance with law. [*Gen. Acts, 1915, c. 219, § 1.*]

499C. Penalty. — Any person violating any provision of this act shall be punished by a fine not exceeding \$5,000, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment. [*Gen. Acts, 1915, c. 219, § 2.*]

512. Assignment of wages. — The provisions of this act [*Gen. Acts, 1916, c. 208, see paragraphs 512A and 514*] shall not be construed to repeal or affect the provisions of [*Acts, 1912, c. 675, § 6.*] [*Gen. Acts, 1916, c. 208, § 3.*]

512A. Assignment of wages. — No assignment of future wages shall be valid for a period exceeding two years from the date thereof, nor unless made to secure a debt contracted prior to or simultaneously with the execution of said assignment, nor unless executed in writing in the standard form herein set forth and signed by the assignor in person and not by attorney, nor unless such assignment states the date of its execution, the money or the money value of goods actually furnished by the assignee and the rate of interest, if any, to be paid thereon. *Three fourths of the weekly earnings or wages of the assignor shall at all times be exempt from assignment, and no assignment shall be valid which does not so state on its face. No such assignment shall be valid when made by a married man unless the written consent of his wife to the making thereof is attached thereto.* [*Acts, 1909, c. 514, § 121, as am. by Gen. Acts, 1916, c. 208, § 1.*]

514. Standard form of assignment. — Said standard form of assignment shall be as follows: —

KNOW ALL MEN BY THESE PRESENTS.

That I, _____ of _____ in the county of _____, for a valuable consideration, to me paid by _____, of _____, the receipt whereof I do hereby acknowledge, do hereby assign and transfer to said _____ all claims and demands, *not exempt by law*, [which I now have, and all]¹ which within a period of _____ from the date hereof I may and shall have against my present employer, and against any person whose employ I shall hereafter enter, [for all sums of money due and] for all sums of money and demands which, at any time within said period may and shall become due to me, for services as _____. To have and to hold the same to the said _____, his executors, administrators and assigns, to secure a debt

(1) Of _____ dollars [with interest thereon from _____, at the rate of _____ per cent per annum], for money [or goods]¹ actually furnished by the assignee amounting to _____ dollars.

(2) Contracted prior to the execution of this assignment. [*or contracted simultaneously with the execution of this assignment.*]¹

(3) *Three fourths of the weekly earnings or wages, which are _____ dollars, are exempt from this assignment.*

IN WITNESS WHEREOF, I have set my hand this _____ day of _____.

Signed and delivered, in presence of _____ h. _____ m. _____ m. Received of _____, _____, book _____, page _____, Clerk.

[*Acts, 1909, c. 514, § 124, as am. by Gen. Acts, 1916, c. 208, § 2.*]

¹ Brackets appear in the original text of the act.

LIENS FOR LABOR.

517. Liens acquired under these sections protected. — (a) *Enforcement of liens under these sections provided for.* — Any person who has performed labor in, or has furnished labor or materials actually used in the erection, alteration, repair or removal of a building or structure upon land, by virtue of an agreement made prior to January first, nineteen hundred and sixteen, may, subject to the intervening rights of third parties, enforce a mechanic's lien therefor in accordance with the provisions of R. L., c. 197, and acts in amendment thereof in the same manner as if Gen. Acts, 1915, c. 292, had not been enacted. All the provisions of said chapter 197 and of acts in amendment thereof, are hereby re-enacted so far as is necessary for this purpose. [Gen. Acts, 1916, c. 163, § 1, as am. by Gen. Acts, 1917, c. 213.]

(b) *Transfer of actions in conformance with the new law of 1916 provided for.* — If an action or other proceeding to enforce such a lien has been brought in the superior court which ought to have been brought in a police, district or municipal court or before a trial justice, or if such action or proceeding has been brought in a police, district or municipal court or before a trial justice, which ought to have been brought in the superior court, if the error is discovered at any stage of the proceedings the court may, upon motion of any party thereto, order the action or proceeding, with all the papers relating thereto, to be transferred to the proper court upon terms to the defendant; and it shall thereupon be entered and prosecuted as if it had been brought therein, and all prior proceedings otherwise regularly taken thereafter be valid. [Gen. Acts, 1916, c. 163, § 2.]

517A. Lien for labor further defined. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — A person to whom a debt is due for *personal* labor performed in the erection, alteration, repair or removal of a building or structure upon land, by virtue of an agreement with, or by consent of, the owner of such building or structure, or of a person having authority from or rightfully acting for such owner in procuring or furnishing such labor, shall, subject to the provisions of this act, other than in section three [see paragraph 517C] have a lien upon such building or structure and upon the interest of the owner thereof in the lot of land upon which it is situated, for not more than eighteen days' work actually performed during the forty days next prior to his filing a statement as provided in section seven. [See paragraph 522.] [Gen. Acts, 1915, c. 292, § 1.]

517B. Written contracts to be recorded. — A person who enters into a written contract with the owner of land for the whole or any part of the erection, alteration, repair or removal of a building or structure upon land, or for furnishing material therefor, shall have a lien upon said building or structure and upon the interest of the owner in said lot of land as appears of record at the date when notice of said contract is filed or recorded in the registry of deeds for the county or district wherein such land lies, to secure the payment of all labor and material which shall thereafter be furnished by virtue of said contract. Said notice may be filed or recorded by any person entitled under the provisions of this act to enforce a lien and shall be in substantially the following form: —

Notice is hereby given that by virtue of a written contract, dated
 191 , between
 owner, and , contractor, said contractor
 is to furnish labor and material for the erection, alteration, repair or removal of a building on a
 lot of land described as follows:
 . Said contract is to be completed on or
 before 191 .

A notice of any extension of such contract, stating the date to which it is extended, shall also be filed or recorded in the registry prior to the date stated in the notice of a contract for the completion thereof, *and may be filed by any party entitled to file the original notice.*

Such notices, and all other instruments hereinafter required to be filed or recorded in the registry of deeds, affecting registered land shall be filed and registered in the manner prescribed by R. L., c. 128, § 70 and acts in amendment thereof and in addition thereto. Such notices, and all other instruments hereinafter required to be filed or recorded in the registry of deeds, affecting unregistered land shall be indexed in a separate book to be kept for that purpose. [*Gen. Acts, 1915, c. 292, § 2, as am. by Gen. Acts, 1916, c. 306, § 1.*]

517C. Notices. — If the notice aforesaid [see paragraph 517B] shall have been filed or recorded in the registry of deeds, as hereinbefore provided, any person who shall, subsequent to the date of filing or recording notice of said contract, furnish labor or material, or perform labor, under a contract with a contractor or with any sub-contractor of said contractor shall be entitled to enforce a lien on the premises therein described for any labor performed, or labor or material furnished, subsequent to the filing or recording of said notice and prior to the date of the termination of said contract as stated in said notice or notices. [*Gen. Acts, 1915, c. 292, § 3, as am. by Gen. Acts, 1916, c. 306, § 2.*]

517D. Public buildings exempt. — No lien shall attach to any land, building or structure thereon owned by the commonwealth, or by a county, city, town, water district or fire district. [*Gen. Acts, 1915, c. 292, § 5.*]

517E. Act, when to become operative. — This act shall take effect on January 1, 1916. [*Gen. Acts, 1915, c. 292, § 14.*]

518. Lien for labor upon entire contract. — Repealed by Gen. Acts, 1915, c. 292, § 13.

519. Notice of lien for materials. — Repealed by Gen. Acts, 1915, c. 292, § 13. (But see paragraphs 517 B and 517 C.)

520. No lien if notice by owner. — Repealed by Gen. Acts, 1915, c. 292, § 13.

521. Lien invalid against prior mortgage. — No lien, *except under the provisions of section one*, shall avail as against a mortgage actually existing and duly registered or recorded prior to the filing or recording in the registry of deeds of the notice required by the provisions of this act, and no lien under section one shall avail as against such a mortgage unless the work or labor performed is in the erection, alteration, repair, or removal of a building or structure which erection, alteration, repair or removal was actually begun prior to the recording of the mortgage. [*Gen. Acts, 1915, c. 292, § 6, as am. by Gen. Acts, 1916, c. 306, § 4.*]

522. Lien dissolved unless statement is filed. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — The lien provided for by section two [see paragraph 517B] and the lien provided for by section three [see paragraph

517C] shall be dissolved unless *the contractor, or some person claiming by, through or under him, shall, within thirty days after the date on which the principal contract is to be performed, file in the registry of deeds in the county or district in which the land is situated a statement, signed and sworn to by him, or by some person in his behalf, giving a just and true account of the amount due him, with all just credits, a brief description of the property, and the name of the owner or owners as set forth in the notice of contract. The lien for labor provided for by section one [see paragraph 517A] shall be dissolved unless such certificate is filed within the forty days provided in said section.* [*Gen. Acts, 1915, c. 292, § 7.*]

523. Inaccuracy in statement, etc. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — . . . The validity of the lien shall not be affected by an inaccuracy in the *description of the property to which it attaches, if the description is sufficient to identify the property, or by an inaccuracy in stating the amount due for labor or materials unless it is shown that the person filing the statement has willfully and knowingly claimed more than is due to him.* [*Gen. Acts, 1915, c. 292, § 8.*]

523A. Pleadings and proofs in suits to recover for work done. — In any action hereafter brought to recover the amount due for goods, wares and merchandise alleged to have been sold and delivered, or for work, labor and services alleged to have been performed, the plaintiff, by notice in writing served on the defendant or his attorney, may call upon the other party to admit, for the purpose of the trial of the action, any fact which is material or the execution of any written paper which he intends to use at such trial. The court may delay the trial until such notice is answered. If no answer is returned within ten days after a copy of said demand is filed in the clerk's office, or within such further time as may on motion be granted, the truth of the fact or the execution of the paper shall, for the purposes of that action, be held to be admitted.

This act shall take effect on January 1, 1918. [*Acts, 1917, c. 194.*]

524. Duties of register. — Affected by Gen. Acts, 1915, c. 292, § 2. [See paragraph 517B.]

525. Petition to enforce lien. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — The lien shall be dissolved unless a *bill in equity to enforce it is filed within sixty days after the filing of the statement required by § 7.* . . . [See paragraph 522.] [*Gen. Acts, 1915, c. 292, § 8.*]

526. Jurisdiction. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — *All proceedings to enforce a lien upon land for the erection, alteration, repair or removal of a building or other structure, shall be begun by bill in equity filed in the superior court for the county in which the land lies.* . . . [*Gen. Acts, 1915, c. 292, § 4.*]

527. Who may join. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — . . . *The petitioner shall bring his bill in his own behalf and in behalf of all other persons in interest who shall become parties.* . . . [*Gen. Acts 1915, c. 292, § 4.*]

528. Summons, return day, etc. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — . . . *The subpoena shall be returnable not more than sixty days subsequent to the entry of the bill and shall contain a brief description of the property, sufficient to identify it, and a statement of the amount alleged*

to be due. An attested copy thereof *shall be filed in the registry of deeds and recorded as provided in R. L., c. 197, § 8.* . . . [Gen. Acts, 1915, c. 292, § 4.]

529A. Fees for service of civil process. — Two clauses of Gen. Acts, 1915, c. 292, § 4, relative to fees of the officer were repealed by Gen. Acts, 1916, c. 306, § 3.

530. Further notice. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — . . . All other parties in interest may appear and have their rights determined in such bill, and at any time before a final decree, upon the suggestion of any party in interest that any other person is or may be interested in the suit, or of its own motion, the court may issue a subpoena to such person, or a precept directing him to appear in said cause on or before a day certain or be forever barred from any rights thereunder. The court may in its discretion provide for notice to absent parties in interest. The terms "party in interest" and "person in interest", as used in this act, shall include mortgagees and attaching creditors. [Gen. Acts, 1915, c. 292, § 4, as am. by Gen. Acts, 1916, c. 306, § 3.]

531. Other creditors may intervene; amendments. — Repealed by Gen. Acts, 1915, c. 292, § 13. [But see paragraph 530.]

542. Attachment prior to filing of statement. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form in 1915 and amended in 1916 as follows: — The rights of an attaching creditor shall not prevail as against the lien for personal labor provided for in [Gen. Acts, 1915, c. 292], § 1, nor against the claim of a lienor where notice or notices of contract have been filed or recorded in the registry of deeds as provided in § 2 *prior to the recording of the attachment.* [Gen. Acts, 1915, c. 292, § 10, as am. by Gen. Acts, 1916, c. 306, § 5.]

543. Attachment after filing. — Repealed by Gen. Acts, 1915, c. 292, § 13. [But see paragraph 542.]

544. Attaching creditors and claimants of liens, how paid, as between themselves. — Repealed by Gen. Acts, 1915, c. 292, § 13.

545. Dissolution by owner. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — In a bill in equity under the provisions of section four [see paragraph 526], the court may, in its discretion, accept a bond, with sufficient surety or sureties, to dissolve the lien of any creditor or all liens, as to the whole or any part of the property, or any interest therein. Such bond shall be filed by the obligor in the registry of deeds within ten days after its approval, and shall not dissolve the lien unless so filed. It shall be recorded, and may then be taken from the registry by the obligee. [Gen. Acts, 1915, c. 292, § 11.]

545B. Bond with sureties may be given. — Any person in interest may cause to be recorded in the registry of deeds in the district in which the land lies, a bond having as surety therein a corporation organized to do a surety business in this commonwealth, or individual sureties as hereafter provided, in which bond the register of deeds for the district and his successor or successors in office shall be obligee, in such penal sum as shall be fixed by the building commissioner or other officer performing like duties under any statute, ordinance or by-law of a city or town in which the land in question lies, or, in case there is no such officer, then by a justice or clerk of a court having jurisdiction in the locality where the land lies. The bond shall describe the land in such detail as is required in a common conveyance of land, and shall be in form substantially as follows: —

Know all Men by these Presents.

That we
of _____ in the County of _____
and Commonwealth of Massachusetts, as principal, and
in the Commonwealth, as surety or sureties, are holden and stand firmly bound and obliged
unto
Register of Deeds for the
County of _____ in the full and just sum of
Dollars to be paid unto said Register and his successors in said office, to which payment, well
and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and
assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated the _____ day
of _____ in the year of our Lord one thousand nine
hundred and _____

The condition of this obligation is such,

That whereas said
is interested in the erection, alteration, repair or removal of a building on a certain lot of land
situated within the

Registry District in the Commonwealth, bounded and described as follows

and desires under the provisions of chapter one hundred and ninety-seven of the Revised Laws
and acts in amendment thereof and in addition thereto to free said land from claims for personal
labor in accordance with the provisions of said statute and amendments thereto;

Now, therefore, if the above bounden
shall pay or cause to be paid for any and all personal labor performed in the erection, alteration,
repair or removal of said building on said land, under the contract stated in the certificate on
the back hereof, irrespective of any agreement made between him and the owner or any other
persons now interested or who may hereafter be interested therein, then the above written obliga-
tion shall be null and void; otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of

(Seal)

(Seal)

(Seal)

(CERTIFICATE ON BACK OF BOND.)

I, _____ Date _____ 191 .
principal in the within bond, hereby
certify that the proposed work on the lot of land described in said bond is the erection — alteration
— repair — removal of a building, that a fair estimate of the cost of the labor on said building
will not exceed _____ Dollars. The work is to be done under
a contract made _____ 191 , the parties thereto being _____
of _____ and _____ of _____
. Said work is to be completed on or before _____
(Signed.)

If individual sureties are given on said bond, the sureties shall be not less than
three in number, each of whom shall have owned real estate for at least one year
next prior to the date of the bond, of a value not less than the penal sum of the bond,
and said bond shall not be recorded unless the bond and sureties shall have been
approved by a justice or clerk of a court having jurisdiction in the locality where the
land lies, after an examination under oath, of all the sureties by said justice or clerk.

After the recording of said bond no lien shall thereafter attach for personal labor
performed under the contract in respect to which the bond is given.

The register of deeds may refuse to record the said bond if it be defective in form
or substance, but no party to any such bond shall be discharged by any defect therein
as against any party who has in good faith allowed his lien to be dissolved by lapse of
time, in reliance on the bond. The bond may be enforced by a bill in equity in the

superior court brought by any party in interest. The petitioner shall bring his bill in his own behalf and in behalf of all other persons in interest who shall become parties. A copy of the subpoena shall be filed and recorded in the registry of deeds, and the fees of the officer shall be as provided in § 4. [See paragraphs 529A and 530.] [*Gen. Acts, 1915, c. 292, § 9.*]

546. Certificate. — Repealed by Gen. Acts, 1915, c. 292, § 13. Re-enacted in new form as follows: — If it appears to the court that no person is entitled to a lien, or that every lien has been discharged by payment of the lien, the court shall forthwith cause a decree to be entered to the effect that the lien is dissolved, and a certificate to that effect shall be sent forthwith by the clerk to the register of deeds. Such certificate shall be filed and recorded in the manner provided in R. L., c. 197, § 8. [*Gen. Acts, 1915, c. 292, § 12.*]

549. Dissolution by creditor. — Repealed by Gen. Acts, 1915, c. 292, § 13.

550. Dissolution by payment. — Repealed by Gen. Acts, 1915, c. 292, § 13.

550A. Certain acts repealed, etc. — R. L., c. 197, §§ 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 25, 26, 27, 28, 29, 30 and 31 are hereby repealed. All other provisions of said chapter shall apply to proceedings under this act. [*Gen. Acts, 1915, c. 292, § 13.*]

MINIMUM WAGES.

571A. Posting of information in places of employment. — The minimum wage commission may require employers to post in conspicuous positions in their places of employment such notices as the said commission may issue for the information of employees. [*Gen. Acts, 1915, c. 65, § 1.*]

6. WORKMEN'S COMPENSATION AND EMPLOYERS' LIABILITY.

EMPLOYERS' LIABILITY.

577. When death from such accident is not instantaneous.¹ — If the injury described in the preceding section [see Acts, 1909, c. 514, § 127], *or an injury caused by the negligence of the employer himself*, results in the death of the employee, and such death is not instantaneous or is preceded by conscious suffering, and if there is any person who would have been entitled to bring an action under the provisions of the following section [see Acts, 1909, c. 514, § 129], the legal representatives of said employee may, in the action brought under the provisions of the preceding section [see Acts, 1909, c. 514, § 127], recover damages for the death in addition to those for the injury; and in the same action under a separate count at common law, may recover damages for conscious suffering resulting from the same injury. [*Acts, 1909, c. 514, § 128, as am. by Gen. Acts, 1915, c. 179.*]

WORKMEN'S COMPENSATION.

590A. Compensation to young workmen who receive injuries. — Whenever an employee is injured under circumstances that would entitle him to compensation under the provisions of Acts, 1911, c. 751, and acts in amendment thereof and in addition thereto, if it be established that the injured employee was of such age and experience when injured that, under natural conditions, his wages would be

¹ See also paragraph 1286.

expected to increase, that fact may be taken into consideration in determining his weekly wages. [*Gen. Acts, 1915, c. 236, § 1.*]

591. No compensation unless injury incapacitates for at least ten days. — No compensation shall be paid under [the Workmen's Compensation Act] for any injury which does not incapacitate the employee for a period of at least *ten days* from earning full wages, but if incapacity extends beyond the period of *ten days*, compensation shall begin on the *eleventh* day after the injury. *When compensation shall have begun, it shall not be discontinued except with the written assent of the employee or the approval of the board, or a member thereof: provided, however, that such compensation shall be paid in accordance with [Acts, 1911, c. 751, Part II, § 10, as am. by Acts, 1914, c. 708, § 5] if the employee in fact earns wages at any time after the original agreement is filed.*

This act shall take effect on January 1, 1917. [*Acts, 1911, c. 751, Pt. II., § 4, as am. by Gen. Acts, 1916, c. 90, §§ 1, 2.*]

592. Medical and hospital services. — During the first two weeks after the injury, and, if the employee is not immediately incapacitated thereby from earning full wages, then from the time of such incapacity, and in unusual cases, in the discretion of the board, for a longer period, the association shall furnish adequate and reasonable medical and hospital services, and medicines, when they are needed. *The employee shall have the right to select a physician other than the one provided by the association, and in case he shall be treated by a physician of his own selection, or, where, in case of emergency or for other justifiable cause, a physician other than the one provided by the association is called in to treat the injured employee, the reasonable cost of his services shall be paid by the association, subject to the approval of the industrial accident board. Such approval shall be granted only if the board finds that the employee was so treated by such physician, or that there was such emergency or justifiable cause, and, in all cases, that the services were adequate and reasonable and the charges reasonable.* [*Acts, 1911, c. 751, Pt. II., § 5, as am. by Acts, 1914, c. 708, § 1 and by Gen. Acts, 1917, c. 198.*]

594. Compensation to be paid during total incapacity. — While the incapacity for work resulting from the injury is total, the association shall pay the injured employee a weekly compensation equal to sixty-six and two thirds per cent of his average weekly wages, but not more than *fourteen* dollars nor less than four dollars a week; and in no case shall the period covered by such compensation be greater than five hundred weeks, nor the amount more than \$4,000. [*Acts, 1911, c. 751, Pt. II, § 9, as am. by Acts, 1914, c. 708, § 4, and by Gen. Acts, 1917, c. 249, § 1.*]

599. Expenses of burial. — *In all cases the association shall pay the reasonable expense of burial which shall not exceed \$100. If the employee leaves dependents, such sum shall be a part of the compensation payable, and shall to that extent diminish the period of payment.* [*Acts, 1911, c. 751, Pt. II, § 8, as am. by Gen. Acts, 1917, c. 269.*]

610. Committees of arbitration abolished. — If the association and the injured employee fail to reach an agreement in regard to compensation under this act, or if they have reached such an agreement, which has been signed and filed in accordance with the provisions of this act, and compensation has been paid or is due in accordance therewith and the parties thereto then disagree as to the continuance of any weekly payments under such agreement, either party may notify the industrial accident board *which shall thereupon assign the case for hearing by a member of the*

board. [Acts, 1911, c. 751, Pt. III, § 5, as last am. by Acts, 1914, c. 708, § 9, and by Gen. Acts, 1917, c. 297, § 2.]

611. Arbitrators to be sworn. — Repealed by Gen. Acts, 1917, c. 297, § 2.

612. Board to appoint committee of arbitration. — Repealed by Gen. Acts, 1917, c. 297, § 3.

613. Inquiries and investigations to be made, etc. — *The member of the board shall make such inquiries and investigations as shall be deemed necessary. The hearing shall be held in the city or town where the accident occurred, or in such other place as the board may designate; and the decision of the member, together with a statement of the evidence, his findings of fact, rulings of law, and any other matters pertinent to questions arising before him shall be filed with the industrial accident board. Unless a claim for review is filed by either party within seven days, the decision shall be enforceable under provisions of section eleven of Part III. (See paragraph 616.)* [Acts, 1911, c. 751, Pt. III, § 7, as am. by Acts, 1912, c. 571, § 12, and by Gen. Acts, 1917, c. 297, § 4.]

614. Fees of arbitrators. — Repealed by Gen. Acts, 1917, c. 297, § 5.

615. Claim for review. — If a claim for a review is filed, as provided in [Acts, 1911, c. 751, Pt. III, § 7], the board shall hear the parties and may hear evidence in regard to any or all matters pertinent thereto and may revise the decision of the member in whole or in part, or may refer the matter back to the member for further findings of fact, and shall file its decision with the records of the proceedings and notify the parties thereof. No party shall as a matter of right be entitled to a second hearing upon any question of fact. [Acts, 1911, c. 751, Pt. III, § 10, as am. by Acts, 1912, c. 571, § 13, and by Gen. Acts, 1917, c. 297, § 6.]

615A. Claim for review. — An order or decision of the industrial accident board, a decree of the superior court upon such an order, a decision of an arbitration committee from which no claim for review has been filed within the time allowed therefor, or a memorandum of agreement approved by the industrial accident board, shall have effect, notwithstanding an appeal, until it is otherwise ordered by a justice of the supreme judicial court who may, in any county, suspend or modify such decree, order or decision, during the pendency of the appeal. [Gen. Acts, 1915, c. 132, § 1.]

616. Superior court to render a decree, etc. — Any party in interest may present certified copies of an order or decision of the board, a decision of a member from which no claim for review has been filed within the time allowed therefor, or a memorandum of agreement approved by the board, and all papers in connection therewith, to the superior court for the county in which the injury occurred or for the county of Suffolk, whereupon said court shall render a decree in accordance therewith and notify the parties. Such decree shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact, or where the decree is based upon a decision of a member or a memorandum of agreement, and that there shall be no appeal from a decree based upon an order or decision of the board which has not been presented to the court within ten days after the notice of the filing thereof by the board. Upon the presentation to it of a certified copy of a decision of the industrial accident board ending, diminishing or increasing a weekly payment under the provisions of Part III, § 12 [see paragraph 617], the court shall revoke or modify the decree to conform to such decision.

[Acts, 1911, c. 751, Pt. III, § 11, as am. by Acts, 1912, c. 571, § 14, and by Gen. Acts, 1917, c. 297, § 7.]

617. Weekly payments may be reviewed. — Any weekly payment under this act may be reviewed by the industrial accident board or any member thereof, and on such review the board or member may, in accordance with the evidence and subject to the provisions of this act, issue any order which may be deemed advisable. If the case is heard and decided by a member, his decision shall be subject to review as provided by §§ 7 and 10 of Part III and the general provisions of the act. [Acts, 1911, c. 751, Pt. III, § 12, as am. by Acts, 1914, c. 708, § 11, and by Gen. Acts, 1917, c. 297, § 8.]

619. Physicians; fees; reports of impartial physicians admissible as evidence. — The industrial accident board or any member thereof may appoint a duly qualified impartial physician to examine the injured employee and to report. The fee for this service shall be five dollars and travelling expenses, but the board may allow additional reasonable amounts in extraordinary cases, and the association shall reimburse the board for the amount so paid. The report of the physician shall be admissible as evidence in any proceeding before the industrial accident board or a committee of arbitration, provided that the employee and insurer have seasonably been furnished with copies thereof. [Acts, 1911, c. 751, Pt. III, § 8, as am. by Acts, 1914, c. 708, § 10, and by Gen. Acts, 1916, c. 72, § 1.]

621. Fees of attorneys, etc. — Fees of attorneys and physicians and charges of hospitals for services under this act shall be subject to the approval of the industrial accident board. If the association and any physician or hospital, or the employee and any attorney, fail to reach an agreement as to the amount to be paid for such services, either party may notify the board, which may thereupon assign the case for hearing by a member of the board in accordance with the provisions of this act, and all proceedings thereunder shall be in accordance with the provisions of this act. The member shall report the facts to the industrial accident board for decision, and the decision shall be enforceable as provided by Part III of § 11. [Acts, 1911, c. 751, Pt. III, § 13, as am. by Acts, 1914, c. 708, § 12, and by Gen. Acts, 1917, c. 297, § 9.]

625. Payment of cost of proceedings before the board or member, etc. — If the industrial accident board, any member thereof, or any court before whom any proceedings are brought under this act determines that such proceedings have been brought, prosecuted, or defended without reasonable ground, it shall assess the whole cost of the proceedings upon the party who has so brought, prosecuted or defended them. [Acts, 1911, c. 751, Pt. III, § 14, as am. by Gen. Acts, 1917, c. 297, § 10.]

MASSACHUSETTS EMPLOYEES INSURANCE ASSOCIATION.¹

638. Association created. — The Massachusetts Employees Insurance Association is hereby created a body corporate with the powers provided in this act and with all the general corporate powers incident thereto. The said association may also transact within the commonwealth any kind of liability insurance which mutual companies are allowed by law to transact, and shall be governed by the laws now or hereafter in force relating to the transaction of such business by mutual companies so far as the same are not in conflict with the provisions of this act. [Acts, 1911, c. 751, Pt. IV, § 1, as am. by Sp. Acts, 1915, c. 314.]

¹ By Gen. Acts, 1916, cc. 29 and 200 provision was made for the issuance by mutual liability companies of policies covering workmen's compensation.

638A. Association may have all rights and powers of domestic mutual liability companies. — The Massachusetts Employees Insurance Association may with the approval of the insurance commissioner have and exercise, within or without the commonwealth, all of the rights, powers and privileges vested in or conferred upon domestic mutual liability companies under general laws, and shall be subject to all the laws now or hereafter in force relating to such companies. [*Gen. Acts, 1916, c. 200, § 2.*]

647A. Issue of policies. — Every policy of workmen's compensation insurance issued or delivered in this commonwealth shall cover separately and for a separate consideration all the liabilities which are imposed upon an insurer by the provisions of Acts, 1911, c. 751, and amendments thereof, whatever other contingencies may be insured for by riders attached thereto or endorsements made thereon. On the face of every such policy there shall be printed conspicuously the words: "Insurance under this Policy is in Class _____ of the company's Workmen's Compensation Classification Manual", and in the blank thus provided the number or other designation in said manual under which the said policy is written shall be placed before the policy is issued. [*Gen. Acts, 1915, c. 287, § 1.*]

647B. Copies of policies to be filed. — No such policy of insurance or rider to be used therewith shall be issued or delivered until a copy thereof has been filed with the insurance commissioner at least thirty days prior to such issue or delivery, unless before the expiration of the thirty days the said commissioner shall have approved the form of the policy in writing; nor if the insurance commissioner notifies the company in writing that in his opinion the form of said policy or rider does not comply with the laws of this commonwealth, specifying the reasons for his opinion: *provided*, that upon petition of the company the opinion of the insurance commissioner shall be subject to review by the supreme judicial court of this commonwealth. [*Gen. Acts, 1915, c. 287, § 2.*]

663. Certain provisions of law to apply. — Repealed by Sp. Acts, 1915, c. 314, § 2.

OTHER INSURANCE AGAINST INDUSTRIAL ACCIDENTS.

672A. Employers may form mutual companies to insure against certain industrial accidents.¹ — Ten or more persons who are residents of this commonwealth may form an insurance company on the mutual plan to insure any person, firm or corporation against loss or damage to property of the assured and loss or damage to the life, person or property of another, for which the assured is liable, caused by the explosion of steam boilers, tanks, or other receptacles under pressure, or their connections, or by the breakage or rupture of machinery or fly wheels; or against loss of use and occupancy caused thereby. The corporation shall be formed in the manner described in, and be subject to, the provisions of [R. L., c. 110], §§ 15 to 20, inc., except as is otherwise provided herein. Mutual companies doing business and organized, prior to March 1, 1915, to transact steam boiler insurance may have and exercise all the rights and powers conferred by this section upon companies which may be organized hereunder. [*Gen. Acts, 1915, c. 178, § 1.*]

672B. General insurance laws applicable. — A corporation formed as aforesaid shall be subject to all general laws now or hereafter in force applicable to domestic

¹ For an act extending the powers of mutual liability companies, see Gen. Acts, 1917, c. 191. While this act is general in scope, it has a direct bearing upon the protection of workmen who may be injured in the course of their employment.

insurance companies, and, except as is otherwise provided herein, to all general laws now or hereafter in force applicable to mutual fire insurance companies. [*Gen. Acts, 1915, c. 178, § 2.*]

672C. Certain restrictions upon issuing policies. — No policy shall be issued by a corporation formed as aforesaid until insurance has been applied for to the amount of one million dollars upon not less than one hundred separate risks, or until such corporation has made arrangements for its protection in the case of an excessive loss caused by any one disaster. Such protection may be afforded to a corporation formed as aforesaid, or to any existing mutual steam boiler insurance company, by any company authorized to write the same class of insurance in this commonwealth, or by an insurer not authorized to transact insurance business in Massachusetts in cases where re-insurance in authorized companies cannot be secured at reasonable rates; but, if re-insurance is obtained from an insurer not authorized to transact business in Massachusetts, any such arrangement shall be in writing and shall be subject to the approval of the insurance commissioner. [*Gen. Acts, 1915, c. 178, § 3.*]

672D. Mutual liability companies may insure against steam-boiler and fly-wheel explosions. — Mutual companies organized under the laws of this commonwealth and authorized to transact liability insurance may, with the approval of the insurance commissioner, also transact the business authorized by Acts, 1907, c. 576, § 32, cl. 4, and the amendments thereof.

No policy shall be issued by a corporation formed as aforesaid until boiler insurance has been applied for to the amount of one million dollars upon not less than one hundred separate boiler risks.

The provisions of Acts, 1907, c. 576, § 20, and of any amendments thereof, authorizing a mutual boiler insurance company to insure in a single risk an amount not exceeding one fourth of its net assets shall not apply to the mutual companies designated in section one of this act. [*Gen. Acts, 1916, c. 21, §§ 1, 2 and 3.*]

672E. Reinsurance covering steam-boiler and fly-wheel risks in certain companies allowed, when. — Insurance in companies not authorized to transact business in this commonwealth, but having the necessary charter rights, may be written to cover steam boiler and fly-wheel risks in this commonwealth under the terms and conditions now or hereafter imposed by law upon the writing of fire insurance on property in this commonwealth in such companies. [*Gen. Acts, 1917, c. 132, § 1.*]

675. Issuing of policies covering accidental bodily injury or disease. — Affected by Gen. Acts, 1915, c. 287. [See paragraph 647A.]

675A. Issuing of policies by mutual liability companies. — No policy shall be issued by a corporation formed as aforesaid until there has been secured by it

(1) Applications for insurance the premiums for which shall be not less than \$50,000, or

(2) Applications by not less than one hundred employers having not less than ten thousand employees, or

(3) Applications by not less than fifty employers having not less than five thousand employees, each of such employers having become obligated by the by-laws of the corporation for an amount not less than five times his cash premium, which may be called for as the necessities of the corporation to pay its losses and expenses may, in the judgment of its directors, require, or

(4) Applications by not less than fifty employers having not less than five thousand employees, accompanied by a bond for \$100,000 running to the commonwealth

made by a surety company authorized to transact business therein and conditioned to assume and discharge all the obligations of the statutes applicable thereto upon the failure of the said corporation to perform and discharge the same.

(5) Applications by not less than fifty employers having not less than 5,000 employees, accompanied by a fund of \$50,000 to be deposited with a trustee for the purpose of settling due and unpaid obligations of the corporation which fund, if drawn upon, shall be reimbursed by the employers in proportion to their several premiums; nor, whichever of the five options above stated has been selected, until such corporation has made arrangements for its protection from extraordinary losses caused by disaster. Such protection may be afforded to a corporation as aforesaid, or to any existing mutual liability insurance company or association, by a company not authorized to transact an insurance business in Massachusetts in cases where reinsurance in authorized companies cannot be secured at reasonable rates or for any other reason satisfactory to the insurance commissioner, but any such arrangement for reinsurance must first be approved in writing by the insurance commissioner; nor shall any such policy be issued until a list of the subscribers for such insurance, with such other information as the insurance commissioner may require, shall have been filed in his department, nor until the president and secretary of the company shall have certified under oath that every subscription for insurance in the list so filed is genuine and made with an agreement with every subscriber that he will take the insurance subscribed for by him within thirty days after the granting by the insurance commissioner of a license to issue policies. If the said officers shall take a false oath relative to the said certificate, they shall be guilty of perjury. Upon the filing of such applications with the insurance commissioner, he may make such investigation as he deems proper and, if his findings warrant it, he may grant a license to such company to issue policies.

No such corporation which has at any time upon its books less insurance than the minimum amount required for one of the above options which it has selected as a basis for beginning business, shall make any further insurance until it has secured applications for policies which will restore the original condition in respect to the number and amount of applications, said applications to be subject to the same provisions of this section as apply to the subscriptions for a new insurance company, nor shall it make any further insurance if the security required by paragraphs (4) and (5) of this section becomes impaired until such impairment is made good.

The liability of any policy holder to pay his proportional part of any assessments which may be laid by the company, in accordance with law and his contract, on account of losses and expenses incurred while he was a member, shall continue so long as there are outstanding any obligations incurred while he was such member. [*Acts, 1911, c. 251, § 3, as am. by Gen. Acts, 1915, c. 181.*]

679A. Prompt payments of benefits by certain foreign insurance companies secured. — Every foreign insurance company transacting the business of workmen's compensation insurance in this commonwealth shall within five days after its withdrawal from the transaction of business herein, or after the revocation of its license issued by the insurance commissioner or of his refusal to renew the same, deposit with a trustee to be named by the industrial accident board, an amount equal to twenty-five per cent of its obligations, incurred or to be incurred, under workmen's compensation policies issued to employers in this commonwealth, and within thirty days after such withdrawal, revocation of license or refusal to renew a license, such

company shall deposit with said trustee an amount equal to the remainder of such obligations, incurred or to be incurred, the amount of which obligations shall be determined by the industrial accident board. The amounts so deposited shall be available for the payment of the said obligations of the company to the same extent as if the company had continued to transact business in this commonwealth, and it shall be the duty of the trustee so receiving said deposits to pay such obligations of the retiring company at the times and in a manner satisfactory to the industrial accident board. [*Gen. Acts, 1915, c. 183, § 1.*]

679B. Bond to be furnished by such companies. — Every such foreign insurance company shall, within sixty days after the passage of this act, furnish a bond running to the commonwealth, with some surety company authorized to transact business in this commonwealth as surety, for such amount and in such form and with such surety as may be approved by the insurance commissioner, the bond being conditioned upon the making by said company of the deposits required by section one of this act. In place of the said bond the company may furnish other security, satisfactory to the insurance commissioner, that said deposits will so be made [*Gen. Acts, 1915, c. 183, § 2.*]

682A. Time for report of the recess committee on insurance rates extended. — [By the provisions of Res. 1917, c. 1 and Res. 1917, c. 6, the time for making its report by the special recess committee on insurance rates and accident prevention was extended, respectively, to February 1, 1917, and February 15, 1917.]

PUBLIC EMPLOYEES, COMPENSATION FOR INJURIES TO.

683A. Responsibility for the payment of compensation by the commonwealth, counties, cities, etc., fixed. — Every board, commission and department of the commonwealth employing laborers, workmen and mechanics, the Boston transit commission, and every county, city, town and district which has accepted the provisions of Acts, 1913, c. 807 shall, through its executive officer or board, designate a person to act as its agent in furnishing the benefits due under Acts, 1911, c. 751, and acts in amendment thereof and in addition thereto. Such agent shall be held responsible for the proper carrying out of this act under the direction and supervision of the industrial accident board until his agency is revoked and a new agent designated. The name and address of every such agent shall be filed with the industrial accident board immediately upon his designation; and each of the foregoing boards, commissions, departments, counties, cities, towns and districts shall designate such an agent within thirty days after this act takes effect.

This act shall not apply to counties, cities, towns and districts which are insured under the provisions of Acts, 1911, c. 751, and acts in amendment thereof.

This act shall take effect on June 1, 1915. [*Gen. Acts, 1915, c. 244, §§ 1, 2 and 3.*]

693. To whom workmen's compensation act shall not apply. — The provisions of Acts, 1911, c. 751, and acts in amendment thereof and in addition thereto shall not apply to any persons *in public employments* other than laborers, workmen and mechanics employed by counties, cities, towns, or districts having the power of taxation. [*Acts, 1913, c. 807, § 7, as am. by Gen. Acts, 1916, c. 307, § 1.*]

694. Compensation for injuries to laborers, workmen and mechanics employed by Boston transit commission. — Laborers, *workmen and mechanics* employed by the Boston transit commission shall be deemed to be in the service of

the city of Boston within the provisions of Acts, 1913, c. 807, and shall be entitled to the compensation provided for by that act. Such compensation shall be paid out of the proceeds of the rapid transit loans and shall be included in the net cost of the tunnel or subway in the construction of which such laborers, *workmen and mechanics* receive personal injuries arising out of and in the course of their employment. [Acts, 1914, c. 636, § 1, as am. by Sp. Acts, 1915, c. 270, § 1.]

7. PENSION AND RETIREMENT SYSTEMS.

EMPLOYEES OF THE COMMONWEALTH (GENERAL ACT).

696. Definitions of words and phrases. — [The following was added to section (f) defining "continuous service".] In the case of employees who before entering the service of the commonwealth had been regularly employed as teachers in public schools, as defined by paragraphs (4) and (5) of Acts, 1913, c. 832, § 1, all periods of such employment rendered prior to July 1, 1914, shall be counted as a part of the continuous service for the purposes of this act: *provided, however*, that this clause shall not apply to employees entering the service of the commonwealth after July 1, 1914, who are not members of the teachers' retirement association established by said chapter 832. [Acts, 1911, c. 532, § 1, as last am. by Acts, 1914, c. 568, and by Gen. Acts, 1915, c. 198, § 1.]

697. Organization of retirement association.¹ — Any person who has heretofore given notice in writing to the insurance commissioner that he did not wish to join the retirement association established by Acts, 1911, c. 532, in accordance with clause (1) of § 3 thereof, may become a member of the said association: *provided*, that he gives notice in writing to the insurance commissioner during the calendar year 1916 that he desires to become a member of the association. [Acts, 1913, c. 310, § 1, as am. by Gen. Acts, 1916, c. 164, § 1.]

700A. Investigation relative to determination of value of board, lodging, etc., as part compensation for services. — *Resolved*, That the board of retirement is hereby authorized and directed to make an investigation and to report to the next general court as to a basis for determining the value of board, lodging, and other considerations which are a part of the compensation of certain employees in the institutions of the commonwealth, with drafts of such legislation, if any, relating to the said subject, as the board may deem expedient. [Res. 1917, c. 106.]

701. Retirement funds.² — The funds of the retirement system shall be raised as follows: —

(1) *Expense and Contingent Fund.*

The general court shall appropriate annually such an amount as may be necessary to defray the whole expense of administration, according to estimates prepared by the treasurer.

¹ For an act relative to the transfer of certain teachers, employed in training schools maintained and controlled by the board of education, from the retirement association for employees of the commonwealth to that for public school teachers, see paragraph 707G.

² See *Handbook of Labor Laws*, pages 137 to 144.

(2) *Annuity and Pension Fund.*

A. Deposits by Members. — Each member shall deposit in this fund from his salary or wages, as often as the same are payable, not less than one per cent and not more than five per cent of the amount of his wages or salary, as determined by the board of retirement under the provisions of section four (5): *provided, however*, that employees who receive more than \$30 weekly in salary or wages shall not be assessed for contribution to this fund on the excess above that amount.

B. Contributions of the Commonwealth. — (a) Each month the commonwealth shall contribute such amount as the board of retirement may determine to be necessary to pay current pensions for subsequent service, under § 6 (2) *C* (a).

(b) Each year, in January, the commonwealth shall contribute an amount equal to the surplus arising from annuity deposits. In case there should be a deficiency arising from such annuity deposits, instead of a surplus, then the commonwealth shall make good the deficiency.

(c) Each month the commonwealth shall contribute such amount as the board of retirement may determine to be necessary to pay current pensions for prior service under § 6 (2) *C* (b).

(d) Each month the commonwealth shall contribute such amount as the board of retirement may determine to be necessary to ensure the minimum payments **provided** for in § 6, *E*.

Members of the teachers' retirement association, established by Acts, 1913, c. 832, who enter the service of the commonwealth shall have the full amount of their contributions, with interest thereon as determined by the teachers' retirement board, transferred by the treasurer of the commonwealth to the retirement fund established by Acts, 1911, c. 532, as amended, and these amounts shall thereby become a part of their deposits.

(3) *Provisions for Payments.*

All amounts payable by members of the association under paragraph (2) *A* of this section shall be deducted by the commonwealth from the amounts payable to them as salary or wages, as often as the same are payable, and shall immediately be credited to the retirement fund by the state treasurer. [*Acts, 1911, c. 532, § 5, as am. by Gen. Acts, 1915, c. 198, § 2.*]

702. Administering the funds. — The state treasurer shall administer the funds of the pension system in accordance with the following plan: —

(2) *Annuity and Pension Funds.*

A. Refunds. — (a) Should a member of the association cease to be an employee of the commonwealth for any cause other than death, *or to enter the service of the public schools as defined by Acts, 1913, c. 832, § 1, ¶ 5*, before becoming entitled to a pension, there shall be refunded to him all the money paid in by him under § 5, (2) *A*, with such interest as shall have been earned thereon. [*Acts, 1911, c. 532, § 6, as last am. by Acts, 1914, c. 582, and by Gen. Acts, 1915, c. 197, § 3.*]

EMPLOYEES IN THE PRISON SERVICE OF THE COMMONWEALTH.

707A. Retirement system for persons employed in the prison service of the Commonwealth. — The *board of prison commissioners or its lawful successor*, may, with the approval of the governor and council, retire from active service and place upon a pension roll any officer of the state prison, of the Massachusetts reformatory, of the prison camp and hospital, of the state farm, of the reformatory for women, or of any jail or house of correction, or any person employed to instruct the prisoners in any prison or reformatory, as provided in R. L., c. 225, § 44, or any other employee of the state prison, the Massachusetts reformatory or the prison camp and hospital who began employment as such officer or instructor or employee on or before June 7, 1911, who has attained the age of sixty-five years or over and who has been employed in prison service in Massachusetts, with a good record, for not less than twenty years; or who, without fault of his own, has become permanently disabled by injuries sustained in the performance of his duty; or who has performed faithful prison service for not less than thirty years: *provided, however*, that no officer of the state farm shall so be retired except upon the recommendation of the trustees of that institution; and *provided, further*, that no officer of any jail or house of correction shall so be retired except upon the recommendation of the sheriff and county commissioners of the county, except in the county of Suffolk, where the recommendation as to the officers of the jail shall be made by the sheriff and the mayor of the city of Boston, and, as to the officers of the house of correction, by the penal institutions commissioner and the mayor of the city of Boston, and *provided*, that no such officer, instructor or employee shall be retired unless he began employment as such officer, instructor or employee on or before June 7, 1911. [*Acts, 1908, c. 601, as last am. by Gen. Acts, 1916, c. 273.*]

VETERANS.

707B. Retirement act for veterans in the employ of the commonwealth amended. — A veteran of the civil war in the service of the commonwealth, if incapacitated for active duty, shall be retired from active service, with the consent of the governor, at one half the rate of compensation paid to him when in active service, to be paid out of the treasury of the commonwealth: *provided*, that no veteran shall be entitled to be retired under the provisions of this act unless he shall have been in the service of the commonwealth at least ten years. But if, in the opinion of the governor and council, any veteran of the civil war, *after five years*, in said service is incapacitated to such a degree as to render his retirement necessary for the good of the service, he may so be retired. A veteran retired under the provisions of this act, whose term of service was for a fixed number of years, shall be entitled to the benefits of the act without reappointment. [*Acts, 1907, c. 458, § 1, as am. by Gen. Acts, 1915, c. 95.*]

RETIREMENT SYSTEM FOR PUBLIC SCHOOL TEACHERS.¹

707C. Definitions of words and phrases. — The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings: —

¹ See Acts, 1913, c. 832.

(2) "Annuities" shall mean payments for life derived from contributions from teachers. "*Annuities-certain*" shall mean payments for a definite number of years only, derived from contributions from teachers, and the number of years during which the payments shall be made shall be determined by the retirement board. [Acts, 1913, c. 832, § 1, as am. by Gen. Acts, 1917, c. 233, § 1.]

(6) "Regular interest" shall mean interest at the rate determined by the retirement board and shall be substantially that which is actually earned, which shall be compounded annually on the last day of December of each year.

[Acts, 1913, c. 832, § 1, as am. by Gen. Acts, 1916, c. 257, § 1.]

707D. Creation of funds. — (4) Members of the retirement association, established by Acts 1911, c. 532, as amended, who enter the service of the public schools shall have the full amount of their contributions, together with such interest as shall have been earned thereon, transferred by the treasurer of the commonwealth to the annuity fund established by paragraph (2) of this section, and these amounts shall thereby become a part of their assessments. [Acts, 1913, c. 832, § 5, as am. by Gen. Acts, 1915, c. 197, § 1.]

707E. Payment of retirement allowances. — . . . (5) Any teacher who shall have become a member of the retirement association under the provisions of paragraph numbered (2) of § 3, and who shall have served fifteen years or more in the public schools of the commonwealth, not less than five of which shall immediately precede retirement, shall, on retiring as provided in paragraphs (1) and (2) of this section, be entitled to receive a retirement allowance as follows: — (a) such annuity and pension as may be due under the provisions of paragraphs numbered (3) and (4) of this section; (b) an additional pension to such an amount that the sum of this additional pension and the pension provided in paragraph (4) of this section shall equal the pension to which he would have been entitled under the provisions of this act if he had paid thirty assessments on his average yearly wage for the fifteen years preceding his retirement and at the rate in effect at the time of his retirement: *provided*, (1) that if his term of service in the commonwealth shall have been over thirty years the thirty assessments shall be reckoned as having begun at the time of his entering service and as drawing *three per cent interest compounded annually* until the time of retirement; and *further provided*, (2) that if the sum of such additional pension together with the annuity and pension provided for by paragraphs numbered (3) and (4) of this section is less than \$300 in any one year, an additional sum sufficient to make an annual retirement allowance of \$300 shall be paid from the pension fund. [Acts, 1913, c. 832, § 6, as am. by Gen. Acts, 1916, c. 257, § 2.]

(7) In determining the retiring allowance of a member of the teachers' retirement association who prior to June 1, 1912, had been regularly employed by the commonwealth, credit shall be given in the manner provided for by paragraph (5) of this section [of chap. 832], for all such periods of employment rendered prior to June 1, 1912: *provided, however*, that this paragraph shall not apply to any person becoming a member of the teachers' retirement association, after July 1, 1915, who, at the time of entering the service of the public schools, was not a member of the retirement asso-

ciation established by Acts, 1911, c. 532. [Acts, 1913, c. 832, § 6, as am. by Gen. Acts, 1915, c. 197, § 2.]

(8) Any member of the retirement association who has served twenty or more years in the public schools of the commonwealth and who, before attaining the age of sixty, by reason of physical or mental disability, becomes permanently incapable of rendering satisfactory service as a teacher, may, with the approval of the retirement board, be retired by the employing school committee: *provided*, that he has served in the public schools of the commonwealth for the five consecutive years immediately preceding the date of his retirement. Periods of leave of absence or sickness shall not be considered as breaking the continuity of the five consecutive years of service required by the provisions of this paragraph, but such periods of absence or sickness shall not be counted as service.

(9) Any member of the retirement association shall, upon retirement under the provisions of paragraph (8) of this section, and during the continuance of disability, be entitled to receive from the annuity fund, in quarterly payments, a sum computed in accordance with the provisions of paragraph (3) of this section: *provided*, that upon the approval of the retirement board, an annuity-certain based upon the tables of the board may be substituted for either of the plans provided for in said paragraph, and in case of the death of the annuitant before all the instalments-certain have been paid, the value at that time of the unpaid instalments, as determined on the basis of the tables adopted by the retirement board, shall be paid to the legal representatives of the deceased member's estate; and *further provided*, that if no executor or administrator of the estate of such deceased member is appointed within three months after his death, all sums due under this paragraph, not exceeding \$100 in any one case, may be paid to such person or persons as appear in the judgment of the retirement board to be entitled to the proceeds of the estate, and such payment shall be a bar to recovery by any other person.

(10) Any member of the retirement association receiving a payment as provided in paragraph (9) of this section, shall, if not rendered ineligible therefor by the provisions of § 12 of this act, be entitled to receive from the pension fund for each year of service a pension equal to one thirtieth of the pension which would have been due him under the provisions of this act if he had retired at the age of sixty, having paid thirty annual assessments to the annuity fund, and received an annuity computed in accordance with the provisions of paragraph (3), option (a) of this section: *provided, however*, that the minimum annual amount to be paid from the pension fund shall be such that a member shall receive from this fund, for each year of his service, one thirtieth of \$250; and *further provided*, that the total retiring allowance shall in no case be greater than the amount which the said member would receive if he were to continue in service until the age of sixty, contributing annual assessments based on the average salary received during the five years of service immediately preceding retirement, at the rate of assessment in effect at the time of retirement.

(11) If a member is granted an annuity-certain by the retirement board, his total retiring allowance shall not be limited to the total retiring allowance which he would have received at the age of sixty, as provided in paragraph (10) of this section, but the amount to be paid from the pension fund shall be the amount which would have been paid from that fund if an annuity-certain had not been granted.

(12) In computing the amount to be paid from the pension fund under the provisions of paragraph (10) of this section, the assumed assessments necessary to complete

the thirty annual assessments shall be based on the average salary received during the five years of service immediately preceding retirement, and shall be at the rate of assessment in effect at the time of retirement. Interest on the amount to the member's credit at the time of retirement and on the assumed assessments shall be figured at the rate of three per cent.

(13) No member of the retirement association shall be retired under the provisions of paragraph (8) of this section until the fact of his disability has been certified to under oath by an examining physician selected by the employing school committee and approved by the retirement board, and until any further evidence of his disability which the retirement board may require shall have been furnished.

(14) At intervals of not less than one year, any member of the retirement association receiving a retiring allowance under the provisions of this section, who has not attained the age of sixty, shall, if so requested by the retirement board, be re-examined by a physician selected by the retirement board. If the retirement board finds that disability which prevents satisfactory service as a teacher no longer exists, the retiring allowance shall cease. Refusal to submit to re-examination shall be cause for discontinuing the retiring allowance.

(15) If a teacher ceases to receive a retiring allowance under the provisions of paragraph (14) of this section, the amount to his credit at that time in the annuity fund shall be determined on the basis of tables adopted by the retirement board, and the said amount shall be considered for the purposes of this act to constitute the sum of his assessments, with the regular interest allowed thereon, to the time when his retiring allowance ceased.

(16) Any member of the retirement association who shall cease to receive a retiring allowance under the provisions of paragraph (14) of this section, who does not re-enter the service of the public schools, and who does not withdraw the amount to his credit in the annuity fund, may, upon attaining the age of sixty, receive a retiring allowance computed in accordance with the provisions of paragraphs (3) and (4) of this section, or may, before attaining the age of sixty, under conditions to be determined by the retirement board, upon request and after an interval of one year, be entitled to further re-examination by a physician selected by the retirement board, and if disability contracted during service as a public school teacher is found to exist, shall again be entitled to receive a retiring allowance under the provisions of paragraphs (9) and (10) of this section.

This act shall take effect on July 1, 1917. [*Acts, 1913, c. 832, § 6, as am. by Acts, 1915, c. 197, § 2 and by Gen. Acts, 1917, c. 233, §§ 2, 3.*]

707F. Withdrawal and reinstatement. — (1) Any member of the retirement association withdrawing from service in the public schools, *except for the purpose of entering the service of the commonwealth*, before becoming eligible to retirement shall be entitled to receive from the annuity fund all amounts contributed as assessments, together with regular interest thereon, in the manner hereinafter provided. [*Acts, 1913, c. 832, § 7, as am. by Gen. Acts, 1915, c. 198, § 3.*]

(2) If such withdrawal shall take place before *six* annual assessments have been paid, the total amount to which such member is entitled as determined by the retirement board under the provisions of this act *may be paid to him in one sum*. [*Acts, 1913, c. 832, § 7, as am. by Gen. Acts, 1916, c. 60, § 1.*]

(3) If such withdrawal shall take place after *six* annual assessments have been paid the amount so refunded shall be in the form of such annuity for life based on the contributions of such member, together with regular interest thereon, as may be deter-

mined by the retirement board according to its annuity tables, or in four annual instalments, as such member may elect. [Acts, 1913, c. 832, § 7, as am. by Gen. Acts, 1916, c. 60, § 2.]

(6) If a member of the retirement association shall die before retirement, the full amount of his contributions to the annuity fund with regular interest to the day of his death shall be paid to his legal representatives; if, however, there is no executor or administrator of the estate of such deceased member, all sums due under this paragraph, not exceeding \$100 in any one case, may be paid to such person or persons as appear in the judgment of the retirement board to be entitled to the proceeds of the estate, and such payment shall be a bar to recovery by any other person. [Acts, 1913, c. 832, § 7, as am. by Gen. Acts, 1916, c. 238, § 1.]

707G. Retirement of teachers and other employees in training schools maintained under the direction of the board of education. — (a) *Teachers employed in certain training schools to be members of the teachers' retirement association.* — All persons employed as teachers in training schools maintained and controlled by the board of education shall be considered as public school teachers for the purposes of Acts, 1913, c. 832, and acts in amendment thereof and in addition thereto, and such a teacher upon becoming a member of the Teachers' Retirement Association shall thereafter pay to the Teachers' Annuity Fund assessments based upon his total salary including the part paid by the commonwealth: *provided*, that the total assessments shall not exceed \$100 in any one year. Such assessments shall be deducted in accordance with rules and regulations prescribed by the teachers' retirement board. Nothing herein contained shall apply to teachers regularly employed in the normal schools who devote some time to training school work, and are therefore subject to the provisions of Acts, 1911, c. 532, and acts in amendment thereof and in addition thereto. [Gen. Acts, 1916, c. 54, § 1.]

(b) *Such persons' previous contributions to the retirement fund for employees of the commonwealth to be transferred.* — Teachers now members of the association established by Acts, 1911, c. 532, and acts in amendment thereof and in addition thereto, who, under the provisions of this act, become members of the retirement association established by Acts, 1913, c. 832, and acts in amendment thereof and in addition thereto, shall have the full amount of their contributions, together with such interest as shall have been earned thereon, transferred in the manner prescribed by Gen. Acts, 1915, c. 197. [Gen. Acts, 1916, c. 54, § 2.]

(c) *Other employees of certain training schools to be members of the teachers' retirement association.* — All other persons employed in the training schools maintained and controlled by the board of education in buildings owned by the commonwealth shall be considered employees of the commonwealth for the purposes of Acts, 1911, c. 532, and acts in amendment thereof and in addition thereto. All other persons employed in the training schools maintained and controlled by the board of education in buildings not owned by the commonwealth shall not be considered employees of the commonwealth for the purposes of said act. [Gen. Acts, 1916, c. 54, § 3.]

(d) *When to take effect.* — This act shall take effect on July 1, 1916. [Gen. Acts, 1916, c. 54, § 4.]

707H. Investigation of the subject of a disability retirement allowance for public school teachers. — *Resolved*, That the teachers' retirement board is

hereby directed to investigate the subject of providing for the retirement of public school teachers in cases of permanent disability. The board is authorized to expend for this purpose a sum not exceeding \$100, and is directed to report the results of its investigation to the next general court, with such recommendations as it may deem expedient, not later than the fifteenth day of January. [*Rcs., 1916, c. 152.*]

BOSTON TEACHERS' PENSIONS.

707I. Appropriation for pensions. — In addition to the amount which the school committee is now authorized by law to appropriate for the support of the public schools of the city, and for other purposes, it shall annually appropriate for the purpose of paying pensions at the rates already established by Acts, 1908, c. 589, § 7, as amended by Acts, 1910, c. 617, § 3, and in the same manner in which it makes appropriations for other school purposes, the sum of *seven* cents upon each \$1,000 of the valuation on which the appropriations of the city council of the city are based, and shall from time to time pay to the treasurer of the permanent pension fund such portions of the proceeds of said *seven* cents upon each \$1,000 of the valuation aforesaid as, in the opinion of the school committee, will not be needed for the purpose of paying pensions to teachers during that year. Accrued interest not expended during any year shall be available for the payment of pensions during any subsequent year. [*Acts, 1908, c. 589, § 4, as last am. by Sp. Acts, 1915, c. 304, § 1.*]

The total amount of pensions payable hereunder in any one year shall not exceed the proceeds of the said *seven* cents upon each \$1,000 of the valuation aforesaid, together with the accrued interest of the permanent fund. In case the amount available in any one year under this act is not sufficient to pay the pensions that have been granted, the amount so available shall be divided pro rata among those to whom pensions have been or may be granted on the basis of the amount of the pension each is then receiving: *provided*, that in no case, nor in any year, shall the pension of any person retired after thirty years of service be less than \$312. [*Acts, 1908, c. 589, § 6, as last am. by Sp. Acts, 1915, c. 304, § 1.*]

For the purposes of this act the limit of the amount of taxes on property in the city of Boston is increased two cents on each \$1,000 of the valuation upon which the appropriations by the city council of the city are based. [Sp. Acts, 1915, c. 304, § 2.]

707J. Pension and annuity funds to be exempt from taxation. — The pension and annuity funds provided for the public school teachers in the city of Boston by Acts, 1900, c. 237, and by Acts, 1908, c. 589, and all acts in amendment thereof, so far as the same are invested in personal property, and the pensions or annuities paid from said funds to the beneficiaries thereunder shall be exempt from taxation. The provisions of Gen. Acts, 1916, c. 269 shall not apply to the pension and annuity funds aforesaid, nor to the pensions or annuities paid therefrom. [*Sp. Acts, 1917, c. 327, § 1.*]

COUNTIES.¹

714. Employees who may be retired. — . . . (b) Pensions based upon prior service. Any member of the association who reaches the age of sixty years, having been in the continuous service of the county for fifteen years or more immediately preceding, and then or thereafter retires or is retired, and any member who com-

¹ For complete text of the act authorizing the counties of the commonwealth to establish retirement systems for their employees, see Acts, 1911, c. 634, and amendments thereto.

pletes thirty-five years of continuous service and then or thereafter retires or is retired, shall receive in addition to the annuity and pension provided for by paragraphs (2) *B* and *C* (a) of this section [§ 6] an extra pension for life as large as the amount of the annuity *and pension* to which he might have acquired a claim if the retirement system had been in operation at the time when he entered the service of the county, and if accordingly he had paid regular contributions from that date to the date of the establishment of the retirement association at the same rate as that first adopted by the board of retirement, and if such deductions had been accumulated with regular interest. [Acts, 1911, c. 634, § 6, as am. by Acts, 1913, c. 817, § 3, and by Gen. Acts, 1915, c. 234, § 2.]

714A. "Continuous service" defined. (f) The words "continuous service" mean uninterrupted employment, with these exceptions: a lay-off on account of illness or reduction of force; and a leave of absence, suspension or dismissal followed by reinstatement within one year.

In the case of employees of the county who are now paid wholly by it, but who at any prior period were employees of the county within the meaning of paragraph (c) of this section and did not receive the whole or any part of their compensation from said county, *and in the case of employees of any department or institution formerly administered by the commonwealth, or formerly administered in part by the commonwealth and in part by the county and later taken over by the county, service rendered prior to such transfer shall be counted as a part of the continuous service for the purposes of this act.* [Acts, 1911, c. 634, § 1, paragraph (f), as am. by Acts, 1913, c. 817, § 1, and by Gen. Acts, 1915, c. 234, § 1.]

718. Certain pensioners not to be paid for future services. — No person who now or hereafter receives a pension or an annuity from any city or town or any county, *excepting teachers who are now receiving annuities not exceeding the sum of \$180 per annum*, shall be paid for any service, except service as a juror, rendered by him to said city, town or county after the date of the first payment of such pension or annuity. [Acts, 1913, c. 657, § 1, as am. by Gen. Acts, 1916, c. 88.]

719A. Retirement and pensioning of probation officers. — Any probation officer of any court who shall be eligible to a pension for twenty years' service under the provisions of section one of Acts, 1912, c. 723, shall hereafter be retired upon attaining the age of seventy years. [Gen. Acts, 1916, c. 225, § 1.]

CITIES AND TOWNS.¹

727. Pensioning laborers in cities and towns. — Any laborer in the employ of a city ² or town which accepts this act, who has reached the age of sixty years and has been in such employ for a period of not less than twenty-five years and has become physically or mentally incapacitated for labor, and any laborer in the employ of such city or town who has been in such employ for a period of not less than fifteen years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of his duties for such city or town may, at his request, and in cities, with the approval of the mayor, or in towns, with the approval of the selectmen, be retired from service, and if so retired he shall receive from the city or town for the remainder of his life, an annual pension equal to one

¹ For complete text of the act authorizing cities or towns to establish a retirement system for their employees, see Acts, 1910, c. 619, and amendments thereto.

² Except the city of Boston (see Acts, 1912, c. 503, § 4).

half of the average annual compensation paid to him as a laborer during the two years next prior to his retirement. Any laborer in the employ of such a city or town who has reached the age of sixty-five years and has been in such employ for a period of not less than twenty-five years *including the time when incapacitated by reason of sickness, not exceeding two years in the aggregate, which is certified by a physician in regular standing*, shall be retired from service and shall receive from the city or town an annual pension computed in the manner hereinbefore set forth. [Acts, 1912, c. 503, § 1, as am. by Gen. Acts, 1915, c. 47.]

733. Retirement fund for laborers employed by the city of Boston. —

Any laborer employed by the city of Boston who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years, and who is physically incapacitated, shall, at his request and with the approval of the retirement board above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one half of the compensation to which he would have been entitled for full employment during the last year of his service for the city; but in no case shall such pension exceed in amount the sum of \$360 per year. It shall be the duty of the said board so to retire any laborer in the service of the city who has reached the age of seventy years and has served the city for a period of not less than twenty-five years: *provided, however*, that said retirement board may, upon the request of the mayor and city council, retire any laborer employed by said city *who has been in the service of the city continuously for a period of not less than fifteen years* and who, owing to injury, physical incompetency, old age or infirmity, may be incapacitated from further performance or discharge of his duty or labor. [Acts, 1911, c. 413, § 2, as last am. by Acts, 1914, c. 765, § 1, and by Sp. Acts, 1915, c. 63, § 1.]

736A. Retirement of school janitors and attendance officers in Boston. —

(a) *Eligibility for, and amount of, pension.* — The school committee of the city of Boston may retire, with an annual pension, any janitor or attendance officer in the service of the schools who has reached the age of sixty years, after completing a period of not less than twenty-five years in the said service, and who has become physically incapacitated. Such pension shall be equal to one half the compensation to which the pensioner would have been entitled for full employment during the last year of his service, but in no case shall it exceed \$360 a year, *and in case of a janitor the rate of pension shall be based upon his net compensation as determined by the school committee.* [Sp. Acts, 1916, c. 257, § 1, as am. by Sp. Acts, 1917, c. 146.]

(b) *Appropriation provided for.* — The school committee of the city of Boston may annually allot from its appropriation for the support of the public schools the amount necessary to provide the pensions authorized by § 1 of this act. [Sp. Acts, 1916, c. 257, § 2.]

736B. Amount of compensation for certain retired call members of fire departments regulated. — All call members of fire departments of cities except Boston who were retired for disability previous to May 23, 1913, shall receive the same compensation provided for call members of fire departments placed on the retired list under the provisions of Acts, 1913, c. 697. [Gen. Acts, 1916, c. 218, § 1.]

(a) *To take effect only after acceptance.* — This act shall take full effect in any city upon its acceptance by the city council with the approval of the mayor. [Gen. Acts, 1916, c. 218, § 2.]

736C. Pension act for permanent members of the fire department of Haverhill. — (a) *Employees who may be retired.* — The municipal council of the city of Haverhill may retire from active service and place upon the pension roll any permanent member of the fire department of the said city whom the city physician certifies in writing to be permanently disabled, mentally or physically, from further performing duty as such member, by reason of injuries sustained or illness incurred through no fault of his in the actual performance of his duty; or any permanent member of said department who has performed faithful service therein for not less than twenty-five years or has attained the age of sixty years, if in the judgment of the municipal council such member is disabled for actual service in the department: *provided, however,* that any permanent member of said department who has performed faithful service therein for the term of twenty-five years and has attained the age of sixty years shall be retired on his own request. [*Sp. Acts, 1916, c. 268, § 1.*]

(b) *Amount of pension.* — A permanent member of said fire department retired under the provisions of this act shall receive an annual pension, payable monthly, equal to one half of the stated annual salary or other compensation payable to him during the last year of his service. [*Sp. Acts, 1916, c. 268, § 2.*]

(c) *Act to be submitted to voters.* — This act shall take full effect upon its acceptance by a majority of the voters of the city of Haverhill present and voting thereon at the next state election. The act shall be submitted in the form of the following question to be placed upon the official ballot: — “Shall an act passed by the general court in the year 1916, entitled ‘An Act relative to pensioning permanent members of the fire department of the city of Haverhill’ be accepted?” [*Sp. Acts, 1916, c. 268, § 3.*]

736D. Retirement of members of police departments not within the scope of the law relating to removals in the civil service. — The provisions of Acts, 1911, c. 624, shall not apply to the retirement on a pension of members of police departments in cities who are seventy years of age or more. [*Gen. Acts, 1916, c. 115, § 1.*]

736E. Retirement of members of the fire department of Newton. — The board of aldermen of the city of Newton, with the approval of the mayor, may retire from active service and place upon the pension roll any permanent or call or substitute call member of the fire department of that city who by injury sustained through no fault of his and in the actual performance of his duty has become permanently disabled, mentally or physically, from further useful service as a fireman in the department, and any permanent member of said department who has performed faithful service in that department for a period of not less than twenty years as a permanent fireman who is incapacitated for further service in the department as a fireman: *provided, however,* that no member of said department shall be retired for permanent disability except upon the certificate of the city physician, which certificate shall be filed with the records of the city clerk.

Any permanent member of the fire department who has reached the age of sixty-five years, and who has performed faithful service in the department for a period of not less than twenty years, shall be retired from active service and placed on the pension roll.

Any call or substitute call member of the fire department upon reaching the age of sixty-five years shall be retired without pension.

The chief of the fire department upon reaching the age of sixty-five years may, at his request, and by vote of the board of aldermen, approved by the mayor, be continued in office from year to year.

Every person retired under the provisions of sections one and two of this act shall receive from the city an annual pension or compensation equal to one half the rate of the compensation paid to him when in active service. Payments shall be made in the same manner and at the same time as payments of salary or other compensation to firemen in active service.

No person shall receive any payment under this act who shall claim compensation under the provisions of Acts, 1913, c. 807, or amendments thereof.

The chief of the fire department is hereby authorized, in case of emergency, to call upon any person pensioned under this act for such temporary service, as a fireman in the department, as he may be able to perform, and during such service he shall be entitled to full pay.

So much of any act as is inconsistent herewith shall not apply to the provisions of this act.

This act shall take effect upon its acceptance by the board of aldermen of the city of Newton. [*Sp. Acts, 1917, c. 138, §§ 1-9.*]

736F. Retirement of members of the police department of Newton. —

The board of aldermen of the city of Newton, with the approval of the mayor, may retire from active service and place upon the pension roll any member of the police department of that city who by injury sustained through no fault of his and in the actual performance of his duty has become permanently disabled, mentally or physically, from further useful service as a policeman in the department, and also any member of said department who has performed faithful service in that department for a period of not less than twenty years who is incapacitated for further service as a policeman in the department: *provided, however*, that no member of said department shall be retired for permanent disability except upon the certificate of the city physician, which certificate shall be filed with the records of the city clerk.

Any member of the police department who has reached the age of sixty-five years, and who has performed faithful service in the department for a period of not less than twenty years, shall be retired from active service and placed on the pension roll.

The chief of the police department upon reaching the age of sixty-five years may, at his request, and by vote of the board of aldermen, approved by the mayor, be continued in office from year to year.

Every person retired under the provisions of this act shall receive, from the city, an annual pension or compensation equal to one half the rate of compensation paid to him when in active service. Payments shall be made in the same manner and at the same time as payments of salary or other compensation to policemen in active service.

No person shall receive any payment under this act who shall claim compensation under the provisions of Acts 1913, c. 807, or any amendment thereof.

The chief of the police department is hereby authorized, in case of emergency, to call upon any person pensioned under this act for such temporary service in the department as he may be able to perform, and during such service he shall be entitled to full pay.

So much of any act as is inconsistent herewith shall not apply to the provisions of this act.

This act shall take effect upon its acceptance by the board of aldermen of the city of Newton. [*Sp. Acts, 1917, c. 139, § 1-8.*]

736G. Pensions for matrons of the house of detention in Boston. — Any matron of the house of detention in the city of Boston who has served for twenty years or longer, or who is injured in the performance of her duties, and is certified by a physician selected by the police commissioner of the city of Boston to be permanently incapacitated, either mentally or physically, for further service, may be retired at her own request by the police commissioner, with the approval of the mayor, and shall be entitled to an annual pension to be paid by the city of Boston, equal to one half the amount of compensation received by her at the time of retirement.

This act shall take effect upon its acceptance by the city council of Boston, with the approval of the mayor. [*Sp. Acts, 1917, c. 214, §§ 1-2.*]

736H. Income from annuities paid to members of a police or fire department to be exempt from taxation. — Income from an annuity paid by a city or town on account of service in a police or fire department shall be exempt from taxation.

This act shall take effect as of April 1, 1917. [*Gen. Acts, 1917, c. 270, §§ 1, 2.*]

736I. Annual payment to the Massachusetts State Firemen's Association increased. — There shall be paid annually, on or before the first day of July, to the treasurer of the Massachusetts State Firemen's Association, the sum of \$18,000, to be used by the association for the relief of firemen in accordance with the provisions of R. L., c. 32, § 73, as amended by Acts, 1903, c. 253, and by Acts, 1911, c. 90.

The treasurer of said association shall give a bond in the sum of *sixteen* thousand five hundred dollars, with sureties approved by the treasurer and receiver general, for the faithful performance of his duties.

Acts, 1906, c. 171, § 1, is hereby repealed. [*Sp. Acts, 1917, c. 121, §§ 1-3.*]

MISCELLANEOUS PROVISIONS.

744A. Commission on Economy and Efficiency¹ to make an investigation relative to pensions for the needy blind. — *Resolved*, That the commission on economy and efficiency be directed to make an investigation relative to the advisability of providing pensions for the needy blind, either as indicated by Senate Document No. 230 of the current year, or by such other method as may be deemed desirable, and to report thereon, with any recommendations which the commission may deem expedient, not later than the second Wednesday in January in the year 1917. [*Res., 1916, c. 139.*]

744B. Pledge, mortgage, sale, assignment or transfer of pensions prohibited. — Any pledge, mortgage, sale, assignment, or transfer hereafter made of any right, claim, or interest in any pension which has been, or may hereafter be granted by the commonwealth or by any county, city or town, shall be void and of no effect, and any person who shall be a party to such pledge, mortgage, sale, assignment or transfer of any right, claim, or interest in any pension, or pension certificate, which has been, or may hereafter be granted or issued by the commonwealth or by any county, city or town, or who shall hold the same as collateral security for any debt or promise, or upon any pretext of such security or promise, shall be guilty of a mis-

¹ Succeeded by the Supervisor of Administration.

demeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars. [*Gen. Acts, 1916, c. 75.*]

744C. Metropolitan Park Commission may retire certain police officers.¹ —

(a) *Conditions under which pensions may be granted.* — The metropolitan park commission may, at the request of any such call officer, if in the judgment of said commission he is disabled for useful service as such call officer, retire him from active service and place him upon the pension roll; providing a physician selected by the commission certifies in writing that such officer is permanently disabled, either mentally or physically, and that by reason of injuries sustained through no fault of his in the actual performance of his duty as a call officer he is unable further to perform his duty as such officer; and every member so retired shall annually receive a pension equivalent to one half of what his annual compensation for continuous service throughout the year would have been at the rate of pay he received from said commission at the time when he received the injury. [*Gen. Acts, 1916, c. 56, § 3.*]

(b) *Certain other provisions not to apply to officers retired under this act.* — The provisions of R. L., c. 19, § 23, and of Acts, 1904, c. 314, shall not apply to the retirement of a police officer employed under this act. [*Gen. Acts, 1916, c. 56, § 4.*]

(c) *Annuities to widows of certain officers.* — If any officer employed under this act shall die from injuries received while in the discharge of his duty as an employee of the said commission, and shall leave a widow or, if no widow, any child or children under the age of sixteen years, a sum not exceeding \$600 may be paid as an annuity to the widow so long as she remains unmarried, or for the benefit of the child or children so long as he or any one of them continue under the age of sixteen years, and the metropolitan park commission may, from time to time, determine the amount of such annuity within the limits aforesaid. [*Gen. Acts, 1916, c. 56, § 5.*]

(d) *Pensions or annuities to be paid out of certain appropriations.* — Pensions and annuities granted under this act and any expenses connected therewith shall be paid out of the appropriations for the Metropolitan Parks Maintenance Fund: *provided, however,* that such pensions, annuities and expenses shall not be paid out of any general appropriations made for the maintenance of land, reservations or parkways under the care and control of said commission, but shall be provided for by specific appropriations for the purpose. [*Gen. Acts, 1916, c. 56, § 6.*]

S. SAVINGS BANK INSURANCE.

756. Amount of policy limited. — No savings and insurance bank shall write any policy binding it to pay more than *one thousand* dollars, exclusive of dividends or profits, upon the death of any one person, nor any annuity contract binding it to pay in any one year more than \$200, exclusive of dividends or profits. [*Acts, 1907, c. 561, § 10, as am. by Gen. Acts, 1915, c. 32.*]

783A. Expenditure for giving publicity to the advantages of savings bank insurance. — The sum of \$2,500 may be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, to be expended under the direction of the trustees of the General Insurance Guaranty Fund, for the purpose of making known to those in need of industrial insurance the advantages offered by the life insurance departments of savings banks; the said sum to be in addition to any sums

¹ Provision was made in §§ 1 and 2 of this act (*Gen. Acts, 1916, c. 561*) for the appointment of call officers for temporary police duty.

appropriated for salaries, office rent, and other necessary expenses during the current year. [*Gen. Acts, 1915, c. 168.*]

783B. Certain employees to be exempt from medical examination for life insurance. — No life insurance company organized under the laws of or doing business in this commonwealth shall enter into any contract of insurance upon lives within this commonwealth without having previously made or caused to be made a prescribed medical examination of the insured by a registered medical practitioner; *except that an inspection by a competent person of a group of employees whose lives are to be insured and their environment may be substituted for such medical examination in cases where the insurance is granted under a single policy issued to a given person, firm or corporation, covering simultaneously a group of not less than one hundred lives all in the employ of such person, firm or corporation.* [*Acts, 1907, c. 576, § 71, ¶ 1, as am. by Gen. Acts, 1916, c. 12.*]

9. CO-OPERATIVE ASSOCIATIONS.¹

Co-OPERATIVE SOCIETIES.

786. Capital stock. — The capital stock of such a *co-operative* corporation shall not be less than \$100, nor more than \$100,000. No stockholder shall own shares of a greater par value than one tenth of the total par value of the capital stock, nor shall any member be entitled to more than one vote on any subject arising in the management of the corporation. [*Acts, 1913, c. 447, § 3, as am. by Gen. Acts, 1915, c. 118, § 1.*]

789. Distribution of earnings. — 1. From the balance of the net earnings of the corporation the directors may appropriate a sum not exceeding five per cent of the annual net earnings to be used in teaching co-operation.

2. The directors shall distribute the remainder of such earnings or any part thereof by a uniform dividend upon the amount of purchases or sales of shareholders, *through the corporation*, and, *if the directors so vote*, upon the amount of wages which have been earned and paid to employees except that in the case of a purchaser who is not a shareholder, but who *desired* to become a shareholder, a dividend of one half the uniform dividend may be declared upon such non-shareholders' purchases or sales and credited to him on account of the purchase of stock for which he may subscribe. *In productive corporations, including creameries, canneries, storages, factories and the like, dividends shall be calculated on raw material delivered to the corporation instead of on goods purchased. If the corporation be both a purchasing and a selling, or a productive concern, the dividends may be on both raw material and on goods purchased.* The profits or net earnings of such corporation shall be distributed to those entitled thereto at such times as the by-laws prescribe, which shall be as often as once in twelve months. [*Acts, 1913, c. 447, § 6, as am. by Gen. Acts, 1915, c. 118, § 3.*]

790A. Use of the word "co-operative" restricted. — No person, partnership, association or corporation, organized or doing business for profit, except corporations formed under the provisions of this act, or co-operative banks organized under R. L., c. 114, shall hereafter transact business under any name or title, which contains the word "co-operative". The provisions of Acts, 1908, c. 590, § 17, shall apply to violations of this section, and as prescribed therein, proceedings shall be brought against any person, partnership, association or corporation which violates the provisions of this section. Any person, partnership, association or corporation

¹ For the statutes governing co-operative banks see compilation issued by the bank commissioner.

not organized under the provisions of this act, transacting business under a name or title which contains the word "co-operative", shall alter the said name or title to comply with the provisions of this act within ninety days after its passage. . . . [Acts, 1913, c. 447, as am. by Gen. Acts, 1915, c. 118, § 2.]

790B. Fees for filing articles of incorporation. — . . . The fee for filing and recording the articles of organization required by Acts, 1913, c. 447, including the issuing by the secretary of the commonwealth of the certificate of incorporation, shall be one twentieth of one per cent of the total amount of the authorized capital stock as fixed by the articles of organization, but not in any case less than \$5. [Acts, 1913, c. 447, as am. by Gen. Acts, 1915, c. 118, § 2.]

CREDIT UNIONS.¹

792. Defining term "credit union." — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — A corporation organized under this act shall include in the corporate name the two words "credit union," to which may be added the word "bank." Other distinguishing words may be used. The words "credit union," whenever hereinafter used, shall apply to a corporation heretofore organized under the provisions of Acts, 1909, c. 419, or hereafter organized under the provisions of this act. [Gen. Acts, 1915, c. 268, § 1.]

793. Credit unions may loan savings of its members. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — A credit union may receive the savings of its members in payment for shares or on deposit; may lend to its members at reasonable rates, or invest, as hereinafter provided, the funds so accumulated; and may undertake such other activities relating to the purpose of the association, as its by-laws may authorize, *any provisions in R. L., c. 114, § 1, notwithstanding.* [Gen. Acts, 1915, c. 268, § 5.]

794. Organization of credit unions. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Seven or more *persons, resident in this commonwealth*, who have associated themselves by an agreement in writing *with the intention of forming a corporation for the purpose of accumulating and investing the savings of its members and making loans to members for provident purposes*, may with the consent of the board of bank incorporation, become a corporation upon complying with all of the provisions of *section three [see paragraph 796] of this act.* The board of bank incorporation is hereby authorized to grant such consent when it is satisfied that the proposed field of operation is favorable to the success of such *corporation*, and that the standing of the proposed *incorporators* is such as to give assurance that its affairs will be administered in accordance with the spirit of this act. [Gen. Acts, 1915, c. 268, § 2.]

795. Use of words "credit" and "union" restricted. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — No person, partnership or association, and no corporation, except *such as have heretofore been incorporated under the provisions of Acts, 1909, c. 419, and such as shall hereafter be incorporated under the provisions of this act*, shall hereafter transact business under any name or title which contains the two words "credit union." *The proceedings authorized and the penalties imposed under the provisions of Acts, 1908, c. 590, § 17, and all acts in amendment thereof or in addition thereto, so far as applicable, shall apply in all cases of violation of the provisions of this section.* [Gen. Acts, 1915, c. 268, § 4.]

¹ For an act incorporating the Massachusetts Credit Association, see Special Acts, 1917, c. 281.

796. Subject to supervision of bank commissioner. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Credit unions shall be organized under the provisions, so far as applicable, of Acts, 1904, c. 374, §§ 2 to 6 inclusive, as amended by Acts, 1906, c. 204, § 4, and any other amendments thereof, except that the fee for filing and recording the articles of organization, including the issuing by the secretary of the commonwealth of the certificate of incorporation, shall be \$5.

The provisions relating to supervision by the bank commissioner, so far as applicable, of Acts, 1908, c. 590, and any amendments thereof shall apply to credit unions incorporated under this act. [*Gen. Acts, 1915, c. 268, § 3.*]

797. Content of by-laws. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — The by-laws shall prescribe the name of the corporation, the purposes for which it is formed, the conditions of residence or occupation which qualify persons for membership, the par value of the shares of capital stock *and the maximum number of shares which may be held by any one member*, the conditions on which shares may be paid in, transferred and withdrawn, the conditions on which deposits may be received, and withdrawn, the method of receipting for money paid on account of shares or deposited, the number of directors and number of members of the credit committee, the duties of the several officers, the fines, if any, which shall be charged for failure to meet obligations to the corporation punctually, the date of the annual meeting of members, the manner in which members shall be notified of meetings, the number of members which shall constitute a quorum at meetings, and such other regulations as may seem necessary. [*Gen. Acts, 1915, c. 268, § 6.*]

798. By-laws to be approved by bank commissioner. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — No *credit union* shall receive deposits or payments on account of shares, or make any loans, until its by-laws have been approved in writing by the bank commissioner, nor shall any amendments to its by-laws become operative until they have so been approved. [*Gen. Acts, 1915, c. 268, § 7.*]

798A. Certain property exempt from taxation. — All property of a credit union, except real estate, and all capital stock in a credit union shall be exempt from state and local taxation, except legacy and succession taxes. [*Gen. Acts, 1915, c. 268, § 8.*]

799. Meetings of association. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — The fiscal year of every *credit union* shall end at the close of business on the *last business day* of October. [*Gen. Acts, 1915, c. 268, § 12.*]

The annual meeting of the corporation shall be held at such time and place as the by-laws prescribe, *but must be held within thirty days after the close of the fiscal year*. Special meetings may be called by a majority of the directors or of the supervisory committee, *and shall be called by the clerk upon written application of ten or more members entitled to vote*. Notice of all meetings of the corporation *and of all meetings of the board of directors and of committees* shall be given in the manner prescribed by the by-laws. No member shall be entitled to vote by proxy or to have more than one vote, *and, after a credit union has been incorporated one year, no member thereof shall be entitled to vote until he has been a member for more than three months*.

The members at each annual meeting shall fix the amount of the entrance fee *for the ensuing year, which may be made proportional to the number of shares issued to a member, the maximum amount to be loaned any one member, and, upon recommendation*

of the board of directors, may declare dividends in accordance with the provisions of § 22 of this act. [See paragraph 818.]

At any annual or special meeting the members may review the acts of the credit committee or of the board of directors, and may reverse any decision of the credit committee or of the board of directors by a three fourths vote of the members present and entitled to vote: provided, that such three fourths vote comprises a majority of all of the members of the credit union.

In the event of the death, resignation, or removal from office of the board of directors or of any member thereof, or of the credit committee or of any member thereof, the members of the credit union at a special meeting, called for the purpose, may elect other members to fill the vacancies until the next annual meeting.

At any annual or special meeting the members of a credit union may amend the by-laws by a three fourths vote of the members present and entitled to vote; provided, that a copy of the proposed amendment or amendments shall have been sent to each member with the notice of the meeting. [Gen. Acts, 1915, c. 268, § 13.]

800. Board of directors. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *The business and affairs of a credit union shall be managed by a board of not less than five directors, a credit committee of not less than three members, and a supervisory committee of three members to be elected at the annual meeting of the corporation. Unless the number of members of the credit union is less than eleven, no member of said board shall be a member of either of said committees, nor shall one person be a member of more than one committee, and all the members of said board and of said committees, as well as all officers whom they may elect, shall be sworn to the faithful performance of their duties and shall hold their several offices until others are elected and qualified in their stead. A record of every such qualification shall be filed and preserved with the records of the corporation. Members of the supervisory committee shall be elected annually for a term of one year. Directors and members of the credit committee shall be elected for a term of not less than one year nor more than three years, as the by-laws shall provide. If the term is more than one year, they shall be divided into classes, and an equal number, as nearly as may be, elected each year. If a director or a member of any of these committees ceases to be a member of the credit union, his office shall thereupon become vacant.* [Gen. Acts, 1915, c. 268, § 14.]

801. Duties of the board of directors. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *The directors, at their first meeting after the annual meeting of the corporation, shall elect from their own number a president, a vice president, a clerk and a treasurer, who shall be the executive officers of the corporation, and who shall hold office until their successors shall have been elected and qualified. The offices of clerk and treasurer may be held by the same person.*

The board of directors shall have the general direction of the affairs of the corporation, and shall meet as often as may be necessary. It shall be their special duty to act upon all applications for membership and upon the expulsion of members, to fix the amount of the surety bond required of any officer having custody of funds, to determine the rate of interest on loans and deposits, to fill vacancies in the board of directors until new members shall be elected and qualified, to make recommendations to the members of the credit union relative to the amount of entrance fee to be charged new members, the maximum amount to be loaned any one member, the advisability of declaring a dividend and the amount to be declared, the need of amendments to the

by-laws and any other matters upon which, in their opinion, the members should act at any annual or special meeting. When authorized so to do by the members at any annual meeting or at a special meeting called for the purpose, the board of directors, with the approval of the bank commissioner, may borrow money for the purpose of re-lending to members. [Gen. Acts, 1915, c. 268, § 15.]

802. Loans by the committee. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *The credit committee shall hold meetings, of which due notice shall be given to its members, for the purpose of considering applications for loans, and no loan shall be made unless all members of the committee who are present when the application is considered, and at least two thirds of all the members of the committee, approve the loan and are satisfied that it promises to benefit the borrower. All applications for loans shall be made in writing and shall state the purpose for which the loan is desired and the security offered.* [Gen. Acts, 1915, c. 268, § 17.]

803. Supervisory committee. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *The supervisory committee shall inspect from time to time the securities, cash and accounts of the corporation and shall keep fully informed of the financial condition of the corporation and shall supervise the acts of its board of directors, credit committee and officers. At any time the supervisory committee, by a unanimous vote, may suspend any officer of the corporation, or any member or members of the credit committee or of the board of directors, and, by a majority vote, may call a meeting of the shareholders to consider any violation of this act or of the by-laws, or any practice of the corporation which, in the opinion of the committee, is unsafe or unauthorized. Within seven days after the suspension of any officer, or any member or members of the credit committee or of the board of directors, the supervisory committee shall cause notice to be given of a special meeting of the members of the credit union to take such action relative to such suspension as may seem necessary. The supervisory committee may make temporary appointments to fill vacancies caused by the absence, illness or suspension of any officer, director, or member of any committee and shall fill any vacancies in its own number until new members shall have been duly elected and qualified. The board of directors and the supervisory committee, acting jointly, shall make appointments to fill vacancies in the credit committee until new members of the committee shall be duly elected and qualified.* [Gen. Acts, 1915, c. 268, § 16.]

804. Capital. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *The capital of a credit union shall be unlimited in amount. Shares of capital stock may be subscribed for and paid in such manner as the by-laws shall prescribe, except that the par value of shares shall not exceed \$10.* [Gen. Acts, 1915, c. 268, § 9.]

805. Shares. — Repealed by Gen. Acts, 1915, c. 268, § 13. Re-enacted in new form as follows: — *Shares may be issued and deposits received in the name of a minor and such shares and deposits may, in the discretion of the directors, be withdrawn by such minor, or by his parent or guardian, and in either case payments made on such withdrawals shall be valid and shall release the said corporation from any and all liability to the minor, parent, or guardian. A minor under the age of eighteen years shall not have the right to vote. If shares are held or deposits made in trust, the name and residence of the beneficiary shall be disclosed, and the account shall be kept in the name of such holder as trustee for such person. If no other notice of the existence and terms of such trust has been given in writing to the corporation, such shares or deposits may,*

upon the death of the trustee, *be transferred to or withdrawn by the person who was named by the trustee as the beneficiary or by his legal representatives, and such transfer or withdrawal shall release the corporation from any and all liability to any other claimant upon such stock or deposit.* [*Gen. Acts, 1915, c. 268, § 10.*]

806. Funds may be loaned.¹ — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — The capital, deposits and surplus funds of a credit union shall be invested in loans to members with the approval of the credit committee as provided in section seventeen of this act [see paragraph 802], and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee may be deposited in savings banks or trust companies incorporated under the laws of this commonwealth, or in national banks located therein, or may be invested in the bonds of any other credit union or any farmland bank incorporated under the laws of this commonwealth, or in any securities which are at the time of their purchase legal investments for savings banks in this commonwealth, or, with the approval of the bank commissioner, may be deposited in other credit unions, or may be invested in the shares of other credit unions or of farmland banks or co-operative banks incorporated under the laws of this commonwealth: *provided*, that the total amount invested in the shares of other credit unions, farmland banks or co-operative banks shall not exceed thirty per cent of the capital and surplus, and that not more than twenty per cent shall be invested in the shares of other credit unions, nor more than twenty per cent in farmland bank shares, nor more than twenty per cent in co-operative bank shares. [*Gen. Acts, 1915, c. 268, § 11.*]

807. Credit unions may loan money on real estate, etc. — Repealed by Gen. Acts, 1915, c. 268, § 26. [But see paragraphs 808 and 810.]

808. Conditions. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — *Loans upon the security of first mortgages upon farm lands shall in no case exceed in amount fifty per cent of the value of the property pledged as security, and shall be for the following purposes only: (a) the clearing, draining or otherwise reclaiming and permanently improving agricultural lands; (b) the providing of facilities for irrigation; (c) the planting and early care of orchards; (d) the erection of silos, cold storage plants, greenhouses and permanent farm buildings; (e) the purchase of farms and farm lands for personal occupation and management; (f) the discharge of existing farm mortgages; and, (g) subject to the approval of the bank commissioner, such other improvements of a permanent nature as, in the opinion of the directors, tend to develop agricultural resources. The mortgage deeds securing such loans shall contain a provision for immediate foreclosure if the money lent is applied in whole or in part to purposes not hereby authorized, or if, in the opinion of the directors, it is being spent unwisely or wastefully. . . .* [*Gen. Acts, 1915, c. 268, § 18.*]

809. Repayment of loan, etc. — Repealed by Gen. Acts, 1915, c. 268, § 26.

810. Issue of bonds, etc. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — . . . A credit union may, with the approval of the bank commissioner, *by vote of its board of directors, issue, sell and trade in its own collateral trust bonds, which shall be known and described as farmland bonds, and shall be secured as hereinafter provided by the deposit of first mortgage notes on farm lands and the mortgages securing the same.* In case of failure of a credit union to pay the

¹ For the text of an act (Gen. Acts, 1915, c. 62) providing that savings banks shall report the amounts deposited by labor and credit unions, see paragraph 959A.

interest upon its bonds or the principal when due, the bonds shall be an underlying lien on all its assets and the bank commissioner shall *forthwith* take possession of the assets and wind up the affairs of the corporation. *Loans on the security of first mortgages on farm lands shall be made, and bonds of credit unions secured thereby shall be issued, in accordance with the provisions of Gen. Acts, 1915, c. 231, relating to farmland mortgages and farmland bonds, and any acts in amendment thereof or in addition thereto, so far as applicable.* [Gen. Acts, 1915, c. 268, § 18.]

811. Certain provisions in by-laws. — Repealed by Gen. Acts, 1915, c. 268, § 26.

812. Defining word "farm." — Repealed by Gen. Acts, 1915, c. 268, § 26.

813. Repayment of loans. — Repealed by Gen. Acts, 1915, c. 268, § 26.

814. Services of directors. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — No member of the board of directors or of *either* the credit or supervisory committee shall receive any compensation for his services as a member of the said board or of *such committee*, nor shall any member of the credit or supervisory committee, directly or indirectly, borrow from the corporation or become surety for any loan or advance made by it.

No member of the board of directors shall, directly or indirectly, borrow from the corporation or become surety for any loan or advance made by it, unless such loan or advance shall have been approved at a meeting of the members of the credit union by a majority vote of those present, and the notice of such meeting shall have stated that the question of loans to directors would be considered at such meeting.

The officers elected by the board of directors may receive such compensation as the board shall authorize. [Gen. Acts, 1915, c. 268, § 19.]

815. May expel certain members. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — The board of directors may expel from a *credit union* any member who has not carried out his engagements with the *credit union*, or who has been convicted of a criminal offence, or *who* neglects or refuses to comply with the provisions of this act or of the by-laws, or whose private life is a source of scandal, or who habitually neglects to pay his debts, or *who* shall become insolvent or bankrupt, or *who* shall have deceived the corporation or *any committee thereof* with regard to the use of borrowed money; but no member shall so be expelled until he has been informed in writing of the charges against him, and an opportunity has been given to him, after reasonable notice, to be heard thereon. . . . [Gen. Acts, 1915, c. 268, § 24.]

816. Money due expelled members. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — . . . The amounts paid in on shares or deposited by members who have withdrawn or have been expelled shall be paid to them, in the order of withdrawal or expulsion, *but only as funds therefor become available and after deducting any amounts due by such members to the credit union.* Such expulsion shall not operate to relieve a member from any remaining liability to the *credit union.* [Gen. Acts, 1915, c. 268, § 24.]

817. Audit of receipts, etc. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Immediately before a meeting of the directors called to *consider the recommendation* of a dividend, the supervisory committee shall make a thorough audit of the receipts, disbursements, income, assets and liabilities of the corporation for the fiscal year, and shall make a full report thereon to the directors.

Said report shall be read at the annual meeting and shall be filed and preserved with the records of the corporation. [*Gen. Acts, 1915, c. 268, § 21.*]

818. Dividends. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — At the annual meeting, a dividend may be declared from income which has been actually collected during the fiscal year next preceding and which remains after the deduction of all expenses, losses, interest on deposits, and the amount required to be set apart as a guaranty fund, *or such dividend may be declared in whole or in part from undivided earnings of preceding years, not to exceed twenty per cent thereof in any one year, provided, such earnings are a part of the surplus of the corporation in excess of all requirements of the guaranty fund.*

Such dividends shall be paid on all fully paid shares outstanding at the close of the fiscal year, but shares which become fully paid during the year shall be entitled only to a proportional part of said dividend, calculated from the first day of the month following such payment in full. Dividends due to a member shall be paid to him in cash or credited to the account of partly paid shares for which he has subscribed. [*Gen. Acts, 1915, c. 268, § 22.*]

819. Guaranty fund. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Before the payment of *an annual dividend in any year*, there shall be set apart as a guaranty fund twenty per cent of the net income which has accumulated during the fiscal year, *except as hereinafter provided.* Said fund and the investments thereof shall belong to the corporation and shall be held to meet contingencies or losses in its business. All entrance fees shall be added at once to the guaranty fund. Upon recommendation of the board of directors, the members at any annual meeting may increase, and, whenever said fund equals or exceeds the amount of capital stock actually paid in, may decrease, the proportion of profits which is required by this section to be set apart as a guaranty fund: *provided, that, if the corporation holds stock in other credit unions or in farmland banks, the percentage of profits to be set apart as a guaranty fund shall not be decreased until the amount of the fund equals or exceeds the amount of capital stock of the corporation, actually paid in and in addition thereto the amount actually paid for the shares of stock in such credit unions and farmland banks.* [*Gen. Acts, 1915, c. 268, § 20.*]

820. May vote to dissolve corporation. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — At any meeting specially called for the purpose the members, upon recommendation of *not less than two thirds* of the board of directors, may dissolve the corporation *by the vote of two thirds of the members of the credit union entitled to vote.* A committee of three shall thereupon be elected to liquidate the assets of the corporation *under the direction of the bank commissioner*, and each share of the capital stock, according to the amount paid in thereon, shall be entitled to its *proportional part of the assets in liquidation* after all deposits and debts have been paid. [*Gen. Acts, 1915, c. 268, § 25.*]

821. Report to bank commissioner. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Within twenty days after the last business day of October in each year, every *credit union* shall make to the bank commissioner a report in such form as he may prescribe, signed by the president, treasurer and a majority of the supervisory committee, who shall certify and make oath that the report is correct according to their best knowledge and belief. Any *credit union* which neglects to make the said report within the time herein prescribed shall forfeit

to the commonwealth \$5 for each day during which such neglect continues. [*Gen. Acts, 1915, c. 268, § 23.*]

822. Provisions of certain sections to apply. — Repealed by Gen. Acts, 1915, c. 268, § 26. Re-enacted in new form as follows: — Acts, 1909, c. 419, and Acts, 1914, c. 437, are hereby repealed. All credit unions incorporated prior to the passage of this act shall be hereafter subject to the provisions of this act, but the provisions of this act shall not affect any rights acquired under any contract made by such credit unions prior to the passage of this act. The provisions of this act shall not be rendered inoperative or be limited or otherwise affected by any acts or parts of acts inconsistent therewith. [*Gen. Acts, 1915, c. 268, § 26.*]

FRATERNAL BENEFIT SOCIETIES.

825. Organization of benefit societies. — . . . *b.* In case the corporation limits its membership . . . to the employees or ex-employees of cities or towns or of the commonwealth or the federal government, or to the employees or *ex-employees* of a designated firm, business house or corporation, or of any department of a designated firm, business house or corporation, to persons of the same foreign extraction retaining common national interests and designation, or of the same occupation, the agreement of association shall state the maximum amount of the benefits to be paid, and designate to which one of the classes herein specified its membership is to be limited. A corporation so limiting its membership may be on the lodge system, and if not, shall be governed by a direct vote of its members without the lodge system; but a corporation not so limiting its membership shall be on the lodge system, with a representative form of government as defined in §§ 2 and 3 of this act. . . . [*Acts, 1911, c. 628, § 12, as am. by Acts, 1913, c. 617, § 2, and by Gen. Acts, 1915, c. 39.*]

826A. Societies may pay burial benefits. — Any fraternal beneficiary corporation authorized to transact business in this commonwealth may provide in its by-laws that a part of the amount payable as a death benefit may be used to pay the funeral expenses of the insured: *provided*, that the amount so paid shall not exceed \$100 and shall be deducted from the amount payable as a death benefit; and *provided, further*, that this act shall not affect the rights of those corporations subject to Acts, 1911, c. 628, § 29b, and amendments thereof. [*Gen. Acts, 1917, c. 107.*]

826B. Societies may pay death or annuity benefits upon the lives of children.¹ — Any fraternal benefit society authorized to do business in this commonwealth and operating on the lodge system, may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of two and eighteen years at the next birthday, for whose support and maintenance a member of the society is responsible. . . . [*Gen. Acts, 1917, c. 128, § 1.*]¹

827. Extended or paid-up protection. — . . . Any society which shall show by the annual valuation hereinafter provided for that it is accumulating and maintaining the full reserve required by a table of mortality not lower than the American Experience Table and four per cent interest, may grant to its members such extended or paid-up protection or *such withdrawal equities* as its constitution and laws may provide: *provided*, that such grants shall be equitable, and shall in no case exceed in

¹ For present purposes it has been deemed sufficient to quote merely a portion of the first section of this chapter.

value the portion of the reserve derived from the payments of the individual members to whom they are made. . . . [Acts, 1911, c. 628, § 5 as am. by Gen. Acts, 1917, c. 103.]

838A. Property of such societies to be free from taxation. — The personal property of a fraternal society, order, or association, operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing life, sick, accident, or other benefits for the members of such society, order, or association, or their dependents, shall be exempt from taxation.

This act shall take effect upon its passage, but the income received by such societies, orders, or associations between January 1, 1916, and the date of the passage of this act shall be exempt from taxation under Gen. Acts, 1916, c. 269. [Gen. Acts, 1917, c. 204, §§ 1, 2.]

10. SMALL LOANS LAW.

856. Rate of interest to be established by supervisor. — The supervisor shall establish the rate of interest to be collected, and in fixing said rate shall have due regard to the amount of the loan and the nature of the security and the time for which the loan is made; *but the total amount to be paid on any loan for interest and expenses shall not in the aggregate exceed an amount equivalent to three per cent a month on the amount actually received by the borrower, computed on unpaid balances;* and no licensee or company or association to which this act applies shall charge or receive upon any loan a greater rate of interest than that fixed by the supervisor. *No charge, bonus, fee, expense or demand of any nature whatsoever, except as above provided, shall be made upon loans to which this act relates.* [Acts, 1911, c. 727, § 7, as last am. by Gen. Acts, 1916, c. 224.]

11. INDUSTRIAL EDUCATION.¹

VOCATIONAL EDUCATION.

870A. Promotion of Vocational Education in Co-operation with the Federal Government. — The commonwealth of Massachusetts hereby accepts the provisions of the act of congress approved February 23, 1917, and entitled, "An Act to provide for the promotion of vocational education; to provide for co-operation with the states in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure."

The board of education is hereby directed to co-operate with the federal board for vocational education in the administration of the provisions of the act of congress aforesaid, and to do all things necessary to entitle the commonwealth to receive all the benefits thereof.

The treasurer and receiver general is hereby designated as the custodian of all the funds allotted to the commonwealth from the appropriations made by said act of congress, and he shall receive and provide for the proper custody and disbursement of the same in accordance with the said act.

The federal funds so received shall be paid out in accordance with the provisions of section fourteen of said act of congress upon the requisition of the board of education as reimbursement for expenditures already incurred. The payment of said funds

¹ For an act providing for the construction of a state agricultural and industrial building in West Springfield for the exhibition of agricultural and industrial products of the Commonwealth, see General Acts, 1917, c. 325.

shall be made to such schools and classes as are approved by the said board and as are entitled to receive the same under the provisions of said act: *provided*, that, in accordance with the provisions of said act, the board of education, (1) may grant the federal funds in its control, subject to conditions prescribed by it, as money supplementary to state aid for salaries of teachers of vocational subjects in schools and classes which meet the requirements of said act; (2) may select certain types of training which especially need stimulus and may use the federal funds for salaries of teachers giving such training; (3) may maintain courses for the preparation of teachers of selected vocations, and may use federal funds therefor; may arrange with the authorities of a state school or college to give the proper types of training to teachers of vocations under the supervision of the board, and may use federal funds therefor; may allow local school authorities to conduct, under the supervision of the board, classes for the training of vocational teachers, and may use federal funds therefor.

The last sentence of Acts, 1911, c. 471, § 3 is hereby amended to accord with the provisions of § 11 of the act of congress aforesaid by changing the word "seventeen" to "sixteen", — so that the said sentence will read as follows: — Attendance upon such day or part-time classes shall be restricted to those over fourteen and under twenty-five years of age; and upon such evening classes, to those over sixteen years of age. [*Gen. Acts, 1917, c. 215, §§ 1 to 5.*]

871. Types of schools. — In order that instruction in the principles and the practice of the arts may go on together, independent industrial, agricultural and household arts schools may offer instruction in day, part-time and evening classes. Attendance upon such day or part-time classes shall be restricted to those over fourteen and under twenty-five years of age; and upon such evening classes, to those over sixteen years of age. [*Acts, 1911, c. 471, § 3, as am. by Gen. Acts, 1917, c. 215, § 5.*]

879A. Reimbursement of cities and towns maintaining agricultural schools or furnishing agricultural instruction. — Acts, 1911, c. 471, § 9, clause 2 is hereby amended by striking out all after the word "departments", in the sixth line, so that the paragraph will read as follows: — 2. Cities and towns maintaining approved local or district independent agricultural schools consisting only of agricultural departments in high schools shall be reimbursed by the commonwealth, as provided in this act, only to the extent of two thirds of the salary paid to the instructors in such agricultural departments.

The treasurer of the commonwealth is hereby authorized to pay to certain cities and towns maintaining such agricultural schools in the year 1916, the amounts by way of reimbursement certified as due to them by the board of education, in excess of the \$10,000 heretofore authorized by law, aggregating \$407.70. [*Acts, 1911, c. 471, § 9, cl. 2, as am. by Gen. Acts, 1917, c. 61, §§ 1, 2.*]

UNIVERSITY EXTENSION AND CORRESPONDENCE COURSES.

885A. Department of university extension established. — There is hereby established a department of university extension to be under the direction and control of the board of education. The head of said department shall be appointed by the board of education, with the approval of the governor and council, and his salary shall be fixed by the board with the approval of the governor and council. He may be removed at any time by the said board of education. [*Gen. Acts, 1915, c. 294, § 1.*]

885B. Courses established for residents. — The said department of university extension is hereby authorized to co-operate with existing institutions of learning in the establishment and conduct of university extension and correspondence courses; to supervise the administration of all extension and correspondence courses which are supported in whole or in part by state revenues; and also, where that is deemed advisable, to establish and conduct university extension and correspondence courses for the benefit of residents of Massachusetts: *provided*, that nothing in this act shall be construed as giving to the said department or to the board of education the control or direction of extension and correspondence courses in agriculture or in subjects directly related thereto when these are administered under the direction of the Massachusetts Agricultural College. The said department, subject to the approval of the board of education, may employ such agents, lecturers, instructors, assistants and clerks, for whole or part time, as may be necessary for proper compliance with the provisions of this act. With the approval of the governor and council and of the board of education, it may rent suitable offices for the conduct of its work. [*Gen. Acts, 1915, c. 294, § 2.*]

885C. Schools and other public buildings may be used. — The said department for the purposes of such university extension or correspondence courses, may, with the consent of the proper city or town officials or school committees, use the school buildings or other public buildings and grounds of any city or town within the commonwealth, and may also use normal school buildings and grounds and, with the consent of the boards or commission in charge of the same, such other school buildings as are owned or controlled by the commonwealth. City and town officials and committees are hereby authorized to allow the use of buildings and grounds under their charge by the department of university extension for the purposes of university extension or correspondence courses, subject to the rules and regulations which such officials or committees may establish: *provided, however*, that such use shall not interfere or be inconsistent with the use of said buildings and grounds by the public schools of the city or town. The said department may also arrange for the use of such other buildings, grounds, and facilities as may prove to be necessary for the conduct of its work, and may expend in rent therefor such sums as may from time to time be necessary. [*Gen. Acts, 1915, c. 294, § 3.*]

885D. Advisory councils to be appointed. — The department of university extension is empowered to appoint a state advisory council and also local advisory councils on university extension and correspondence courses, the functions of which shall be defined by the rules and regulations of the board of education. [*Gen. Acts, 1915, c. 294, § 4.*]

885E. Annual report by board of education. — The board of education shall submit to the general court, on or before the third Wednesday of January of each year, a detailed report of the doings and expenditures of the said department for the year closing on the first day of the previous July. [*Gen. Acts, 1915, c. 294, § 5.*]

885F. Certificates to be granted. — The said department is authorized to grant to students completing courses of instruction provided for under this act suitable certificates as evidence of proficiency, in accordance with rules and regulations to be established by the board of education. [*Gen. Acts, 1915, c. 294, § 6.*]

885G. Appropriations for salaries. — The department of university extension, for the purposes of complying with the provisions of this act, may be allowed for the salary of its head, agents, lecturers, instructors, assistants, clerks and other

service, and for travel and other necessary expenses of these officers, incurred in the performance of their official duties under this act, such sums as shall be appropriated annually by the general court, payable out of the treasury of the commonwealth. [*Gen. Acts, 1915, c. 294, § 7.*]

885H. Amount to be expended. — There may be expended under the direction of the board of education in carrying out the provisions of this act for the year 1915 a sum not exceeding \$25,000. [*Gen. Acts, 1915, c. 294, § 8.*]

TEXTILE SCHOOLS.

888A. Appropriation by the commonwealth for evening instruction in the Lowell textile school. — *Resolved*, That there be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, to the trustees of the Lowell textile school, the sum of \$50,000 for the maintenance of the school from July 1, 1916, to June 30, 1917; and the sum of \$1,500 for completing the filling, grading and enclosing of the grounds of the school. The city of Lowell is hereby authorized and directed to raise annually by taxation and pay to said trustees such a sum of money, not less than \$10,000, as may be necessary to provide for evening instruction in said school for residents of Lowell. [*Res. 1916, c. 95.*]

893. Granting of degrees by the Lowell textile school. — The trustees of the Lowell textile school are hereby authorized to grant the degree of Bachelor of Textile Engineering and Bachelor of Textile *Chemistry* to pupils who have taken the four-year day course of the Lowell textile school in said departments and have passed the examinations required for graduation. [*Acts, 1912, c. 62, as am. by Sp. Acts, 1917, c. 244.*]

AGRICULTURAL SCHOOLS.

ESSEX COUNTY.

904A. Essex County Agricultural School. — The name of the independent agricultural school of the county of Essex is hereby changed to Essex County Agricultural School.

The said school may provide short-unit courses of instruction both at the school and elsewhere in the county. Members of the school staff shall investigate farm and market affairs for the purpose of advising individuals and organizations with reference to better business methods available to farmers and more satisfactory methods of marketing farm products, shall give instruction in the formation of co-operative enterprises, and shall perform any other work calculated to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to bring to the assistance of such individuals and organizations, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge in the furtherance of their work. [*Gen. Acts, 1917, c. 176, § 1, 2.*]

BRISTOL COUNTY.

912A. Bristol County Agricultural School. — The name of the independent agricultural school of Bristol county shall be Bristol County Agricultural School. [*Gen. Acts, 1917, c. 247, § 1.*]

913A. Duties of trustees increased; new courses. — The said school shall provide instruction in agriculture and, at such time as may be approved by the board

of education, may provide instruction in household arts or home-making. Short-unit courses of instruction may be given both at the school and elsewhere in the county. Members of the school staff shall investigate farm and market conditions for the purpose of advising individuals and organizations with reference to better business methods among farmers, and more satisfactory methods of marketing farm products, shall give instruction in the formation of co-operative enterprises, and shall perform any other work calculated to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to avail themselves of, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge and practice in the furtherance of their work. [*Gen. Acts, 1917, c. 247, § 2.*]

915. Trustees to prepare estimates of cost of maintenance; gifts may be accepted. — *The said school may receive and utilize gifts considered by said trustees and the board of education to be consistent with its purposes, but principally it shall be supported as follows: — The treasurer of the county shall pay all bills which are approved by the trustees, not exceeding in the aggregate \$20,000, in addition to the miscellaneous income described in § 4 of this act, for the establishment, equipment and maintenance of said school during the fiscal year 1917, and the amount so paid shall be raised by taxation in the same manner in which the other expenses of the county are provided for. Said trustees shall annually, after the first year, in consultation with, and with the approval of the board of education and the county commissioners of the county prepare on or before the fifteenth day of December, an estimate of the amount required to establish, equip, and maintain the said school for the ensuing year; and the said amount shall be included by the county commissioners of the county in the estimate required by R. L., c. 21, § 27, as amended, and if the amount so estimated, or any part thereof, shall be authorized by the general court as part of the county tax, the county of Bristol shall raise by taxation the sum so authorized, and the treasurer of the county shall pay all bills, if approved by the trustees, not exceeding the amount authorized, in the same manner as the bills of other departments of the county are paid.* [*Acts, 1912, c. 566, § 4, as am. by Gen. Acts, 1917, c. 247, § 3.*]

915A. Cost of maintenance to be reduced if possible. — In order to reduce the net cost to the county and state of the said school, all miscellaneous income, including receipts for tuition collected on account of non-resident pupils, receipts from the sale of products, from the work of pupils, or from any other source, shall be paid to the county treasurer to be applied toward the expense of maintenance. [*Gen. Acts, 1917, c. 247, § 4.*]

916. Pupils. — Said school, to the extent of the capacity of the various courses provided for in accordance with § 2 of this act, shall be free for attendance to residents of said county over fourteen and under twenty-five years of age; and, to residents of the commonwealth over seventeen years of age in such numbers and for such instruction as shall be approved by the board of education. Any resident, over fourteen years of age, of a city or town in Massachusetts outside of said county which does not maintain a state-aided vocational school offering the type of education desired, may be admitted to the Bristol County Agricultural School in accordance with the provisions governing the admission of non-resident pupils and the collection of tuition fees contained in Acts, 1911, c. 471. [*Acts, 1912, c. 566, § 5, as am. by Gen. Acts, 1917, c. 247, § 5.*]

916A. Repeal. — This act shall take effect upon its passage; and such parts of previous acts relating to the independent agricultural school of Bristol county as are not consistent with this act are hereby repealed. [*Gen. Acts, 1917, c. 247, § 6.*]

NORFOLK COUNTY.

921A. Question to be submitted to the voters. — At the next state election there shall be placed upon the official ballots for the county of Norfolk the following question: — “Shall the county of Norfolk authorize the county commissioners to issue bonds of said county to an amount not exceeding \$75,000 for the purpose of establishing an independent agricultural school?” [*Gen. Acts, 1915, c. 189, § 1.*]

921B. Trustees of Norfolk County Agricultural School. — If a majority of the voters voting on the above question vote in the affirmative, then the establishment and maintenance of said school shall be provided for as follows: — The name of the school shall be Norfolk County Agricultural School. The governor, with the advice and consent of the council, shall appoint four persons, one for the term of one year, one for the term of two years, one for the term of three years and one for the term of four years, residents of the county, who, together with the county commissioners for the county, shall be known as the trustees of said school; and it shall be their duty to provide vocational education of the kinds authorized by § 3 [see paragraph 921C] of this act. Said trustees shall serve without compensation, but shall be reimbursed for their necessary expenses, the same to be charged and paid on account of maintenance as hereafter provided. The said trustees are hereby authorized to determine the location of the said school, subject to its approval by the board of education, and, subject to approval by the said board, to expend an amount not exceeding \$75,000 in the purchase of real estate, alteration or construction of buildings and provision of live stock, furnishings and equipment therefor. [*Gen. Acts, 1915, c. 189, § 2.*]

921C. Bonds to be issued. — To meet the cost of establishing the said school, the county commissioners are hereby authorized to issue bonds of the county to an amount not exceeding \$75,000, said amount to be paid over to the trustees upon their requisition by the treasurer of the county. Said bonds shall be issued for a term not exceeding twenty years, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. Each authorized issue of bonds or notes shall constitute a separate loan. The county commissioners shall by vote, provide for the payment of each loan by such annual payments, beginning not more than one year after its date, as will extinguish each loan within twenty years from its date, and in such manner that the amount of principal and interest payable in any year, shall not be less than the amount of principal payable in any subsequent year. When such a vote has been passed, the annual amount required shall, without further vote, be assessed according to the provisions of law relating to the assessment of county taxes. [*Gen. Acts, 1915, c. 189, § 3.*]

921D. Commonwealth to pay part cost of maintenance. — The said school shall be maintained by the trustees as a state-aided vocational school, subject to the approval of the board of education, in accordance with the provisions of Acts, 1911, c. 471, and of any acts in amendment thereof or in addition thereto not inconsistent with this act. [*Gen. Acts, 1915, c. 189, § 4.*]

921E. Instruction in agriculture and household arts to be given. — The said school shall provide instruction in agriculture, and, at such time as may be approved by the board of education, in household arts or home-making. Short unit courses of instruction may be given both at the school and elsewhere in the county.

Members of the school staff shall investigate farm and market conditions for the purpose of advising individuals and organizations with reference to better business methods among farmers and more satisfactory methods of marketing farm products, shall give instruction in the formation of co-operative enterprises, and shall perform any other work calculated to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to bring to their assistance, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge in the furtherance of their work. [*Gen. Acts, 1915, c. 189, § 5.*]

921F. How school shall be supported. — Said school may receive and utilize gifts considered by said trustees and the board of education to be not inconsistent with its purposes, but principally it shall be supported as follows: — The treasurer of the county shall pay to said trustees upon their requisition such sums, not exceeding in the aggregate \$16,000, as may be required by them for the maintenance of said school during the first fiscal year, and the amount so paid shall be raised by taxation in the same manner in which the other expenses of the county are provided for. Said trustees shall annually, after the first year, in consultation with and with the approval of the board of education, prepare on or before the fifteenth day of December, an estimate of the amount required to establish, equip and maintain the said school for the ensuing year; and the said amount shall be included by the county commissioners of the county in the estimate required by R. L., c. 21, § 27, as amended, and if the amount so estimated, or any part thereof, shall be authorized by the general court as part of the county tax, the county of Norfolk shall raise by taxation the sum so authorized, and it shall be paid by the county treasurer to said trustees upon their requisition, and shall be expended by them for the purposes for which it was authorized. [*Gen. Acts, 1915, c. 189, § 6.*]

921G. Receipts from certain tuition fees, how used. — In order to reduce the net cost to county and state of the said school, the trustees shall apply toward the expense of maintenance such miscellaneous income as receipts from tuition collected on account of non-resident pupils in places outside of the county of Norfolk, and receipts from the sale of products and from the work of pupils. [*Gen. Acts, 1915, c. 189, § 7.*]

921H. County to be reimbursed for certain expenditures. — Said county shall be reimbursed by the commonwealth for the expenditures made for the maintenance of said school in the manner and proportion provided for the reimbursement of certain counties, cities and towns by Acts, 1911, c. 471, and acts in amendment thereof or in addition thereto. [*Gen. Acts, 1915, c. 189, § 8.*]

921I. Tuition. — Said school, to the extent of the capacity of the various courses provided for in accordance with section five of this act [see paragraph 921 E], shall be free for attendance to residents of said county over fourteen and under twenty-five years of age; and, to persons residents of the commonwealth over seventeen years of age in such numbers and for such instruction as shall be approved by the board of education. Any resident over fourteen years of age of a city or town in Massachusetts outside of said county which does not maintain a state-aided vocational school offering the type of education desired, may be admitted to this school in accordance with the provisions governing admission of non-resident pupils and tuition fees contained in said [Acts, 1911,] c. 471. [*Gen. Acts, 1915, c. 189, § 9.*]

921J. Half fare on street cars for pupils. — The provisions of Acts, 1908,

c. 530, as amended by Acts, 1910, c. 567, for half rate fare upon street railways shall apply to pupils of the said school. [*Gen. Acts, 1915, c. 189, § 10.*]

921K. When to take effect. — Section one of this act [see paragraph 921A] shall take effect upon its passage. The remainder of the act shall take effect upon its acceptance by the voters of the county as provided in § 2 [see paragraph 921 B]. [*Gen. Acts, 1915, c. 189, § 11.*]

HAMPSHIRE COUNTY.

921L. Question to be submitted to voters. — At the next state election there shall be placed upon the official ballots for the county of Hampshire the following question: "Shall the County of Hampshire maintain an Independent Vocational School?" [*Gen. Acts, 1915, c. 225, § 1.*]

921M. Trustees of the Hampshire County Agricultural School. — If (A) a majority of the voters voting on the above question vote in the affirmative; and if (B) the city of Northampton causes to be tendered to the county for the maintenance of the said school the use, free of charge to the county, of the land, buildings and equipment, and any improvements thereon or additions thereto which may hereafter be made, of the present state-aided vocational school, known as Smith's agricultural school and Northampton school of industries, and notifies the board of education in writing to that effect, then (C) the county of Hampshire shall maintain an independent vocational school in accordance with the following provisions, to wit: —

1. The name of the school shall be Smith's Agricultural School.

2. The school shall be maintained as a state-aided vocational school, subject to the approval of the board of education, in accordance with the provisions of Acts, 1911, c. 471, and of any acts in amendment thereof or in addition thereto not inconsistent with this act.

3. The local board of trustees for said school shall consist of five members, one appointed by the governor for a term of four years, the chairman of the county commissioners of the county of Hampshire, ex officio, and the three trustees elected by the city of Northampton in accordance with the terms of the will of Oliver Smith, ex officio; and it shall be their duty to maintain vocational education of the kinds authorized by section three of this act.

4. The said local board of trustees, for and on behalf of the said county, shall serve without compensation, but shall be reimbursed for their necessary expenses, which shall be charged and paid on account of maintenance as hereinafter provided.

5. The three ex officio trustees elected by the city of Northampton, for and on behalf of the city of Northampton, shall make the written reports upon their "care and management of the income" received under the will of Oliver Smith for Smith's Agricultural School, and upon "the state of the funds, the expenditures, the improvements made on the premises, and the state of the school and institution generally; and also the state and condition of the proceeds and income of the establishment", required by said will; and for their services of "control and superintendence" the said three trustees shall receive from the income received under the will of Oliver Smith the "meet recompense" for which provision is made in the said will.

6. The three ex officio trustees elected by the city of Northampton shall use so much as may be necessary of the annual income received by the city of Northampton under the will of Oliver Smith for (A) land, building and equipment purposes, including

repayment of building and equipment loans now in process of liquidation; and may use the remainder of said income at their discretion for (B) other purposes, not inconsistent with the said will, which shall promote the welfare and progress of the said county school.

7. The city of Northampton may withdraw or cause to be withdrawn from the county of Hampshire the privilege of maintaining an independent vocational school on the said premises by giving written notice to the board of education not less than two years prior to the date upon which the said privilege is to be withdrawn.

8. In any event the title to the land, buildings and equipment, with all additions thereto or improvements thereon, with the exception of any equipment not purchasable under the terms of the will of Oliver Smith from the income received under said will, shall remain permanently in the possession of the city of Northampton.

9. The board of education, for and on behalf of the county, may terminate the maintenance of an independent vocational school upon the said premises by giving written notice to the city of Northampton two years prior to the date on which said maintenance is to terminate.

10. In the event that maintenance of said school by the county terminates, any equipment purchased at the expense of the county shall be disposed of by said trustees in such manner as shall be approved by the board of education, and the proceeds shall be paid by the said trustees to the treasurer of the said county. [*Gen. Acts, 1915, c. 225, § 2.*]

921N. Courses and methods of instruction. — The school authorized by this act shall maintain such kinds of vocational training permitted by Acts, 1911, c. 471, and of any acts in amendment thereof or in addition thereto as are not inconsistent with this act. Short unit courses of instruction may be given both at the school and elsewhere in the county. Members of the school staff shall investigate farm and market conditions for the purpose of advising individuals and organizations with reference to better business methods among farmers and more satisfactory methods of marketing farm products; shall give instruction in the formation of co-operative enterprises; and shall perform any other work adapted to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to bring to their assistance, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge in the furtherance of their work. [*Gen. Acts, 1915, c. 225, § 3.*]

921O. County and state support. — The said school may receive gifts considered by said trustees and the board of education to be not inconsistent with its purpose, but principally it shall be supported as follows: —

1. The said local board of trustees shall prepare annually, in consultation with and with the approval of the board of education, on or before the fifteenth day of December, an estimate of the amount required to maintain the said school for the ensuing year and to provide such equipment as may not be purchasable under the terms of the will of Oliver Smith from the income received under that will; and said amount shall be included by the county commissioners of the county of Hampshire in the estimate required by R. L., c. 21, § 27, as amended.

2. If the amount so estimated, or any part thereof, shall be authorized by the general court as part of the county tax, the county of Hampshire shall raise by taxation the sum authorized, and the sum so raised shall be paid by the treasurer of the county to said trustees upon their requisition.

3. Said trustees, subject to the provisions of said c. 471, Acts, 1911, and of § 3 of this act [see paragraph 921N], shall expend the sum appropriated for the purposes designated, together with such miscellaneous income as receipts from tuition collected on account of non-resident pupils from outside the county of Hampshire, and receipts from the sale of products and from the work of pupils.

4. The county shall be reimbursed for the expenditures made for the maintenance of the said school in the manner and proportion provided for the reimbursement of certain counties, cities and towns by Acts, 1911, c. 471, and acts in amendment thereof or in addition thereto.

5. Upon the passage of this act, (A) said county shall raise by taxation for the maintenance of said school during the next fiscal year of the commonwealth, a sum not less than the amount expended for maintenance by Smith's agricultural school and Northampton school of industries during the fiscal year of the commonwealth then current; (B) said sum shall be included in the estimate prepared by the county commissioners of the county of Hampshire in accordance with R. L., c. 21, § 27, as amended; and (C) the instruction offered by said school, to the extent of its capacity, shall be free to residents of said county, beginning with the fiscal year for which the first county appropriation is made. [*Gen. Acts, 1915, c. 225, § 4.*]

921P. Tuition. — Said school, to the extent of the capacity of the various courses provided for in § 3 of this act [see paragraph 921N], shall be free for attendance to residents of said county over fourteen and under twenty-five years of age; and to persons over seventeen years of age in such numbers and for such instruction as shall be approved by the board of education. Any resident over fourteen years of age of a city or town in Massachusetts outside said county which does not maintain a state-aided vocational school offering the type of education desired, may be admitted to this school in accordance with the provisions governing the admission of non-resident pupils and tuition fees contained in said c. 471, Acts, 1911. [*Gen. Acts, 1915, c. 225, § 5.*]

921Q. Towns may establish vocational schools. — Any town in said county may, however, establish, equip and maintain, with the approval of the board of education, a school for state-aided vocational education; and nothing in this act shall interfere with the rights and obligations under said c. 471, Acts, 1911, and acts in amendment thereof or in addition thereto, not inconsistent with this act, of any town which may have established such a school, or may hereafter desire to do so. [*Gen. Acts, 1915, c. 225, § 6.*]

921R. Half fare for pupils on street cars. — The provisions of Acts, 1908, c. 530, as amended by Acts, 1910, c. 567, relative to half-rate fare upon street railways for school children shall apply to pupils of the said school. [*Gen. Acts, 1915, c. 225, § 7.*]

IN GENERAL.¹

926A. Massachusetts Agricultural College may carry out certain practical demonstrations in market gardening. — *Resolved*, That the trustees of the Massachusetts Agricultural College be authorized to make experiments upon some site of land with buildings, leased or rented, within twenty miles of the city of Boston, for

¹ For an act providing for the maintenance and improvement of the market garden field station at Lexington, see Res., 1917, c. 126, and for an act relative to experimental work in the planting and growing of tobacco, see Res., 1917, c. 25.

the purpose of practical demonstrations in market gardening, and may expend therefor a sum not exceeding \$8,000. [*Res.*, 1916, c. 117.]

926B. Provisions relative to a special investigation of agricultural education. — *Resolved*, That a special commission is hereby established, to be composed of the commission on economy and efficiency,¹ the commissioner of education, and three persons to be appointed by the governor, with the advice and consent of the council, for the purpose of investigating the subject of agricultural education as conducted at the Massachusetts Agricultural College and the development of the agricultural resources of the commonwealth.

The commission shall investigate and report as to the advisability of further expenditures for new buildings, additional equipment, the purchase of land and other improvements at the Massachusetts Agricultural College; as to the present policy of the college, with a view to ascertaining whether the college is meeting in the fullest degree the needs of the commonwealth in respect to agricultural training; as to the use of state and federal appropriations and grants; as to the operation of the farm department; as to the educational and academic instruction, and as to the extension work. The commission shall ascertain to what extent teachers are engaged in activities other than college instruction; to what extent students are taught practical farming; to what extent the college, independently of other agencies, contributes toward farming and agricultural development; to what extent the lands, buildings and equipment may economically be utilized; and the relative cost per capita for the education of state and out-of-state students in the various courses of instruction, including comparisons with other agricultural institutions. The commission shall distinguish the educational from the other activities of the college; shall estimate the cost of possible future development of the college, both for initial appropriations and for maintenance; shall consider the elimination of certain activities, and a revision of the courses of study in respect to the character of the studies, the amount of time devoted to them, and otherwise. The commission shall ascertain what return, if any, in respect to the agricultural activities of the people of the commonwealth, is made by graduate state-educated students, and what benefits, if any, might accrue to the welfare or development of agriculture in the commonwealth by a co-ordination of the Massachusetts Agricultural College, the state board of agriculture, the forestry department and the department of animal industry, or any of them, in order that certain obvious existing duplications and overlappings of activity may be eliminated, and that the work of the said departments may be done more effectively and economically.

The commission shall report what operations connected with agriculture, the expenses of which are paid by the state, can best be carried on at the college rather than under the direction of the board of agriculture, and what operations now carried on at the college can better be performed under the direction of the board of agriculture.

The commission shall further report whether for the advancement of agriculture in Massachusetts it is advisable that the college be continued as at present organized.

The commission shall give public hearings, and shall be allowed for necessary expenses such sums, not exceeding \$7,500, as may be approved by the governor and council. The commission shall report in print on or before Jan. 10, 1917, and shall

¹ Succeeded by the Supervisor of Administration.

include in its report drafts of any bills necessary to carry out its recommendations. [*Res.*, 1916, c. 106.]

926C. Time for report of the agricultural commission extended. — [By the provisions of *Res.* 1917, c. 28, and *Res.* 1917, c. 81, the time for making its report by the special commission on the investigation of agricultural education at the Massachusetts Agricultural College and the development of the agricultural resources of the Commonwealth was extended, respectively, to the second day of April, 1917, and the second Wednesday in January, 1918.]

MISCELLANEOUS.

933A. Investigation of industrial work for the blind. — *Resolved*, That the supervisor of administration be directed to investigate the workings of the Massachusetts commission for the blind with a view to ascertaining what changes are necessary in order to insure a more comprehensive and efficient handling of the problems committed to said commission. He shall study all the different phases of the work of said commission, including the industrial work, and the methods employed, and shall have access to the records, papers, and correspondence of the commission. The supervisor shall report to the next general court on or before the second Wednesday in January, with such recommendations as he may deem expedient. [*Res.*, 1917, c. 125.]

933B. Time for report on special training for injured persons extended. — *Resolved*, That the time within which the board of education is required to report, under the provisions of *Res.*, 1916, c. 75, is hereby extended to the second Tuesday of February, 1917, and the board is hereby authorized to continue its investigations accordingly. [*Res.*, 1917, c. 4.]

934A. Special investigation with respect to persons with defective eyesight. — *Resolved*, That there shall be allowed and paid out of the treasury of the commonwealth the sum of \$1,500, to be expended by the Massachusetts commission for the blind for salaries and expenses of special investigation and other work for persons whose eyesight is seriously defective or who are liable to become visually handicapped or blind; this work to include advice and co-operation as to suitable education for children of school age, vocational guidance and industrial aid in individual cases of adults and minors above school age, and study of similar work done in other states and countries. [*Res.* 1915, c. 40.]

935. Evening classes in practical arts for women. — Any city or town may through its school committee, or other board of trustees for vocational education, establish and maintain separate *day and evening* classes in household and other practical arts. Such classes shall be known as practical art classes. *If day classes only, or evening classes only, are established, they shall be open to all women over sixteen years of age; if both day and evening classes are established the day classes shall be open only to women over sixteen years of age, and the evening classes shall be open only to women over seventeen years of age who are employed in any capacity during the day. Such classes may be established and maintained as approved state-aided practical art classes under the provisions of, and subject to all the conditions, not inconsistent with this act, of Acts, 1911, c. 471. [Acts, 1912, c. 106, as am. by Gen. Acts, 1915, c. 266, § 1.]*

935A. Name of South End Industrial School changed. — The name of the

South End Industrial School, a corporation organized under the laws of the commonwealth, is hereby changed to Norfolk House Centre. [*Sp. Acts, 1915, c. 147, § 1.*]

935B. Purpose defined. — The purpose of said corporation shall be to foster better homes and better citizenship through industrial classes and by such other means as may from time to time be adopted. [*Sp. Acts, 1915, c. 147, § 2.*]

936A. Independent industrial shoemaking school may be established in Lynn. — (a) *Question to be submitted to the voters.* — At the next state election there shall be placed upon the official ballot for the city of Lynn the following question: — “Shall the city of Lynn establish an Independent Industrial Shoemaking School?” [*Sp. Acts, 1916, c. 174, § 1.*]

(b) *Appointment of trustees, compensation, etc.* — If a majority of the voters voting upon the question aforesaid vote in the affirmative, the governor, with the advice and consent of the council, shall appoint eight persons, residents of the city of Lynn, two of whom shall be representatives of the laboring class, to serve as follows: — two for one year, two for two years, two for three years, and two for four years; and thereafter two persons shall be appointed annually for the term of four years, but every appointee under this act shall serve until his successor has qualified. The said persons together with the mayor of Lynn shall be known as Trustees of the Independent Industrial Shoemaking School of the City of Lynn. They shall serve without compensation, but shall be reimbursed for their necessary expenses, and the sums so paid shall be charged as a part of the maintenance expense of the school. [*Sp. Acts, 1916, c. 174, § 2.*]

(c) *Renting and equipping of buildings.* — The said trustees are hereby authorized to determine the situation of the said school, subject to the approval of the board of education, and to expend annually for rent of suitable floor space for the school a sum not exceeding \$6,000 until such time as it is deemed expedient to purchase, construct or alter a building for the use of the school. After the said school is established and equipped, the city of Lynn shall annually raise by taxation such sums as may be needed for its maintenance and operation. [*Sp. Acts, 1916, c. 174, § 3.*]

(d) *Cost; issuance of bonds.* — The cost of establishing and equipping the said school shall be paid by the city of Lynn, and for this purpose the municipal council is hereby authorized to issue bonds of the city to an amount not exceeding \$20,000, for terms not exceeding ten years, and at a rate of interest not exceeding four per cent per annum payable semi-annually. The bonds shall be issued and shall be payable in accordance with the provisions of Acts, 1913, c. 719. Each authorized issue of bonds hereunder shall constitute a separate loan. [*Sp. Acts, 1916, c. 174, § 4.*]

(e) *Statutes governing the maintenance of the school.* — The school established under this act shall be established and maintained as an approved school, subject to the provisions of Acts, 1911, c. 471, and of any amendments thereof, and the city of Lynn shall be reimbursed for the expenditures incurred in its maintenance in the manner and to the extent provided for the reimbursement of cities and towns by the said chapter and any amendments thereof. [*Sp. Acts, 1916, c. 174, § 5.*]

936B. Instruction for certain nurses, attendants, etc., provided. — Acts, 1911, c. 649, § 1 was repealed by Acts, 1917, c. 50. Re-enacted in new form as follows: — The trustees of the state institutions under supervision of the *commission on mental diseases* shall cause to be given to the nurses, attendants and patients of said institutions instruction in such arts, crafts, manual training, kindergarten and other *branches and lines* of occupation as may be appropriate for the patients of the

said institutions to *undertake*, especially *such patients as* are physically unfit to *perform* the usual work *in or about* the institutions. [*Acts, 1911, c. 649, § 1, as am. by Gen. Acts, 1917, c. 50.*]

940A. Investigation relative to establishing schools in county jails to be conducted. — *Resolved*, That the board of education and the director of the Massachusetts bureau of prisons, acting jointly, are hereby directed to investigate and determine what need there is and what facilities there are for giving mental, manual, physical, military and other instruction to all prisoners in the jails and houses of correction in the several counties. The board shall report its conclusions and recommendations to the general court, on or before January 23, 1918, together with drafts of such legislation, if any, as it may deem expedient. For the purpose aforesaid, the board may expend a sum not exceeding \$500. [*Res., 1917, c. 59.*]

12. TRADE UNIONS.

(See also under Labor Disputes below.)

959A. Savings banks to report the amount deposited by labor and credit unions. — Such report [by savings banks] shall, in the year 1909, and in each fifth year thereafter, also state the number and amount of deposits of \$50 and less, of those exceeding \$50 and not more than \$100, of those exceeding \$100 and not more than \$200, of those exceeding \$200 and not more than \$500, of those exceeding \$500 and less than \$1,000, of those of \$1,000 or more; and of those to the credit of women, both adults and minors, guardians, religious and charitable corporations, *labor and credit unions*, and in trust, respectively, received during the twelve months last preceding. [*Acts, 1908, c. 590, § 38, as am. by Gen. Acts, 1915, c. 62.*]

13. LABOR DISPUTES.

STRIKES AND LOCKOUTS.

972. Penalty. — Any person, firm, association or corporation violating any provision of this act shall *upon complaint of and after investigation by the state board of labor and industries* be punished by a fine not exceeding \$100 for each offence. [*Acts, 1910, c. 445, as last am. by Acts, 1914, c. 347, § 4, Gen. Acts, 1915, c. 108, and by Gen. Acts, 1916, c. 143, § 1.*]

973. Determination of the normality of business after a strike.¹ — The provisions of this act shall cease to be operative when the state board of conciliation and arbitration shall determine that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner and to the normal and usual extent. *Upon the application of the employer, this question shall be determined by said board, but only after a full hearing at which all persons involved shall be entitled to be heard and be represented by counsel. The board shall give at least three days' notice of the hearing to the strikers and employees by publication in at least three daily newspapers published in the commonwealth.* [*Acts, 1910, c. 445, as last am. by Acts, 1914, c. 347, § 5, and by Gen. Acts, 1916, c. 89.*]

¹ Has reference to advertisements and solicitations for employees during strikes, lockouts, or other labor disputes.

14. LICENSED OCCUPATIONS.¹

HAWKERS AND PEDLERS.

984. Hawkers and pedlers defined. — Whoever, except itinerant vendors, wholesalers or jobbers having a permanent place of business in this commonwealth and selling to dealers only, and commercial agents or other persons selling at wholesale by sample, lists, catalogues or otherwise for future delivery, goes from town to town or from place to place in the same town carrying for sale or barter, or exposing for sale or barter, goods, wares or merchandise, shall be deemed a hawker or pedler within the meaning of this chapter. Hawkers and pedlers selling, *bartering*, or exposing for sale or barter, goods, wares or merchandise, except as permitted by the provisions of this chapter, shall forfeit not more than \$200 for each offence, to be equally divided between the commonwealth and the city or town in which the offence is committed. [R. L., c. 65, § 13, as am. by Gen. Acts, 1916, c. 242, § 1.]

985. Sale of certain articles prohibited. — The sale by hawkers or pedlers of jewelry, furs, wines, spirituous liquors and playing cards is prohibited. [R. L., c. 65, § 14, as am. by Gen. Acts, 1916, c. 242, § 2.]

986. Certain articles may be sold without a license. — Hawkers and pedlers may sell without a license books, newspapers, pamphlets, fuel, provisions, yeast, ice, live animals, brooms, agricultural implements, hand tools used in making boots and shoes, gas or electric fixtures and appliances, flowering plants, wild or uncultivated flowers, fruits, nuts and berries; and fruit, agricultural and other products, if such fruit and products are those of their own labor or of the labor of their families: provided, that such sales are not made in violation of an ordinance or by-law of the city or town. . . . [R. L., c. 65, § 15, as last am. by Gen. Acts, 1916, c. 48, and by Gen. Acts, 1916, c. 242, § 3.]

987. Cities and towns may license hawkers and pedlers. — . . . Cities and towns may by ordinance or by by-law, not inconsistent with the provisions of this chapter, regulate the sale and exposing for sale by hawkers and pedlers of said articles without the payment of any fee, and may affix penalties for the violation of such regulations. Cities and towns may require hawkers and pedlers of fish, fruit and vegetables to be licensed, provided that the license fee does not exceed that prescribed by [R. L., c. 65, § 19, see paragraph 990], as amended, for a license embracing the same territorial limits. But a person who peddles only fruits and vegetables or other farm products, raised or produced by himself or family, shall not be deemed a hawker or pedler under the provisions of this chapter. [R. L., c. 65, § 15, as last am. by Gen. Acts, 1916, c. 48, and by Gen. Acts, 1916, c. 242, § 3.]

987A. Keepers of junk shops may be licensed. — The mayor and aldermen of any city except Boston, and in Boston, the police commissioner, and the selectmen of any town, if ordinances or by-laws therefor have been adopted in such city or town, may license suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles, in such city or town. They may also license suitable persons as junk collectors, to collect, by purchase or otherwise, junk, old metals and second hand articles from place to place in such city or town; and they may provide that such collectors shall display badges upon their persons, or upon their vehicles, or upon both, when engaged in collecting, transporting

¹ For licensing of minors, see under Women and Children.

or dealing in junk, old metals or second hand articles; and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise therein, and any place, vehicle or receptacle used for the collection or keeping of the articles aforesaid, may be examined at all times by the mayor and aldermen or selectmen, or by any person by them respectively authorized thereto. The aforesaid licenses may be revoked at pleasure, and shall be subject to the provisions of §§ 186 to 189, inclusive, of this chapter. [R. L., c. 102, § 29, as last am. by Acts, 1910, c. 554, § 1, and by Gen. Acts, 1917, c. 130.]

989. Special licenses may be granted. — *The commissioner of weights and measures may grant a license to go about exposing for sale or barter and selling or bartering any goods, wares or merchandise, the sale of which is not prohibited by [R. L., c. 65, § 14], to any person who files in his office a certificate signed by the mayor of a city or by a majority of the selectmen of a town, stating that to the best of his or their knowledge and belief the applicant therein named is of good repute as to morals and integrity, and is, or has declared his intention to become, a citizen of the United States. The mayor or selectmen, before granting such certificate, shall require the applicant to make oath that he is the person named therein, and that he is, or has declared his intention to become, a citizen of the United States. The oath shall be certified by a justice of the peace and shall accompany the certificate. The commissioner shall cause to be inserted in every such license the amount of the license fee and the name of the city or town for which it is issued. . . . [R. L., c. 65, § 19, as last am. by Gen. Acts, 1915, c. 253, § 1, and by Gen. Acts, 1916, c. 242, § 6.]*

990. Fees for licenses. — . . . The licensee may sell or barter in any city and town mentioned in his license any goods, wares or merchandise, not prohibited in section fourteen, upon payment to the *commissioner* of the following fees: for each town containing not more than one thousand inhabitants, according to the then latest census, state or national, *four* dollars; for each town containing more than one thousand and not more than two thousand inhabitants, *seven* dollars; for each town containing more than two thousand and not more than three thousand inhabitants, *nine* dollars; for each town containing more than three thousand and not more than four thousand inhabitants, *eleven* dollars; and for each city and for all other towns, *eleven* dollars, and one dollar for every one thousand inhabitants thereof over four thousand; but the fee shall in no case exceed twenty-six dollars, and the amount paid shall be certified on the face of the license. *The commissioner shall retain one dollar for every city and town named in each of the above described licenses, and shall pay over to the respective cities and towns at least semi-annually the balance of said fees so received. The commissioner may grant, as aforesaid, special state licenses upon payment by the applicant of \$50 for each license; and the licensee may expose for sale or barter in any city or town in the commonwealth any fish, fruits, vegetables, or other goods, wares or merchandise, the sale of which is not prohibited by statute. [R. L., c. 65, § 19, as last am. by Gen. Acts, 1915, c. 253, § 1, and by Gen. Acts, 1916, c. 242, § 6.]*

990A. Applicants to file bonds. — Every itinerant vendor, whether principal or agent, shall, before commencing business in this commonwealth, make application in writing, under oath, to the commissioner of weights and measures for a license, stating the names and residences of the owners or parties in whose interest said business is conducted, shall make a special deposit of \$500 with the commissioner or shall give a bond in the sum of five hundred dollars, payable to the commissioner and his successors, with sureties approved by the commissioner, conditioned upon (1) compliance

with the provisions of this chapter, (2) payment of all fines or penalties incurred by him through violations of the provisions of this chapter, and (3) payment or satisfaction of any judgment obtained against him in behalf of any creditor whose claim arises in connection with the business done under the licensee's state license and who, before the expiration of sixty days from the date of the expiration or return and cancellation of the said state license, shall have given due notice of his claim to the commissioner; and pay to him a state license fee of twenty-five dollars. The commissioner shall thereupon issue to him an itinerant vendor's license authorizing him to do business in this commonwealth for the term of one year from the date thereof. Every license shall contain a copy of the application therefor, shall not be transferable, shall not authorize more than one person to sell goods as an itinerant vendor, either by agent or clerk or in any other way than in his own proper person, shall expire in one year from the date thereof and may be earlier surrendered for cancellation. A licensee may have the assistance of one or more persons in conducting his business who may aid him but not act for or without him. [R. L., c. 65, § 3, as last am. by Gen. Acts, 1917, c. 237, § 2.¹]

991. Special county licenses. — *The commissioner of weights and measures may also grant as aforesaid special county licenses for each county mentioned therein; and the licensee may expose for sale or barter within such county any goods, wares or merchandise manufactured by himself or by his employer and not prohibited in [R. L., c. 65,] § 14, upon paying to the commissioner the amounts following: for Suffolk, Essex, Middlesex and Worcester, each, five dollars; for Norfolk, Plymouth, Bristol, Berkshire and Hampden, each, four dollars; for Franklin, Hampshire and Barnstable, each, three dollars; and for Dukes County and Nantucket, each two dollars. The license shall describe the manufactured article or articles to be sold or bartered under it and shall not authorize the sale or barter of any other article by the licensee. The commissioner shall retain one dollar for every county named in each of the above described licenses, and shall pay over to the treasurers of the respective counties at least semi-annually the balance of said fees so received. [R. L., c. 65, § 20, as am. by Gen. Acts, 1915, c. 253, § 2, and by Gen. Acts, 1916, c. 242, § 7.]*

992. Transfer of license. — A license granted under the provisions of section 19 [see paragraph 990] may be transferred by the commissioner of weights and measures upon application therefor and upon evidence furnished by the applicant like that required for granting a license. The transferee shall thereafter be liable in all respects as if he were the original licensee, and no person shall thereafter sell under such license except the person named in such transfer. [R. L., c. 65, § 22, as am. by Gen. Acts, 1915, c. 253, § 3.]

994. Records of licenses. — *The commissioner of weights and measures shall keep a record of all licenses granted by him, with the number of each, the name and residence of the licensee, and the counties, cities and towns, if any, mentioned therein, and of all transfers of licenses; and all such records shall be open to public inspection. This chapter or a synopsis thereof shall be printed on every license. All licenses granted under the provisions of this chapter shall bear date of the day on which they are issued and shall continue in force for one year from that date. [R. L., c. 65, § 23, as am. by Gen. Acts, 1915, c. 253, § 4, and by Gen. Acts, 1916, c. 242, § 8.]*

995. Fees. — All of the aforesaid fees paid to the commissioner shall be for the use of the commonwealth; and all such fees paid to the treasurer of a county, city or

¹ Other sections of the amending act, not so relevant to the issuance of licenses, have been omitted.

town shall be for the use of the county, city or town. *Any license granted by the commissioner of weights and measures under the provisions of this chapter, or of any act in amendment thereof or in addition thereto, may be revoked by the commissioner upon conviction of the licensee of any crime which, in the judgment of the commissioner, warrants such revocation. Whenever any person is convicted of a violation of any provision of this chapter or a licensee is convicted of any crime, the commissioner shall be notified by the clerk or trial justice of the court in which the conviction occurred.* [R. L., c. 65, § 24, as last am. by Gen. Acts, 1915, c. 253, § 5, and by Gen. Acts, 1916, c. 242, § 9.]

996. Licensee to carry his license, endorsed; and to be provided with badges, etc. — Every person licensed to peddle as aforesaid shall endorse his usual signature upon his license. The licensee shall produce his license for inspection when the same is demanded of him by a mayor, alderman, selectman, commissioner or inspector or sealer of weights and measures, city or town treasurer or clerk, constable, police officer or justice of the peace, and if he fails or refuses so to do shall be subject to the same penalty as if he had no license. *The commissioner of weights and measures shall, at the expense of the licensee, provide a badge for each foot pedler and plates or tags for each pack, parcel, wagon, or other vehicle used in peddling. Such badges, plates or tags shall bear the number of the license, the word "pedler", and such other information as the commissioner may deem necessary. Each foot pedler shall wear his badge in a conspicuous place, and each wagon or other vehicle shall bear the name of the licensee plainly inscribed or painted on the body of the vehicle, and shall also have attached to the front or side of the body of the vehicle, in a place where it may readily and plainly be seen, the plate or tag provided by the commissioner with the license number attached thereto.* [R. L., c. 65, § 25, as am. by Gen. Acts, 1915, c. 253, § 6, and by Gen. Acts, 1916, c. 242, § 10.]

997. License not to defeat a prosecution. — No license to go about offering for sale, bartering or selling as aforesaid shall defeat or bar a prosecution against the person licensed, if it is proved that he exposed for sale any articles, except such as are permitted by § 15 [see paragraph 986], in a county, city or town in which he was not licensed to sell. [R. L., c. 65, § 26, as am. by Gen. Acts, 1916, c. 242, § 11.]

998. Counterfeiting of license. — Whoever counterfeits or forges a license, or has a counterfeited or forged license in his possession with intent to utter or use the same as true, knowing it to be false or counterfeit, and whoever attempts to sell under a license which has expired or is forfeited, or which has not been issued or transferred to him, or has in his possession another's license with intent to use the same, shall be punished by a fine not exceeding \$1,000. [R. L., c. 65, § 27, as am. by Gen. Acts, 1916, c. 242, § 12.]

1000. Violation of pedler's law. — *The commissioner and inspectors of weights and measures of the commonwealth and, within their respective cities and towns, sealers or deputy sealers of weights and measures, constables and police officers shall arrest and prosecute every hawker and pedler, and itinerant vendor, whom they may have reason to believe guilty of violating the provisions of this chapter relating to hawkers and pedlers and itinerant vendors.* [R. L., c. 65, § 29, as am. by Gen. Acts, 1915, c. 253, § 7, and by Gen. Acts, 1916, c. 120, § 6.]

1000A. Transfer of documents, files, etc. — All documents, papers and files now in the hands of the secretary of the commonwealth pertaining to the granting of licenses to hawkers and pedlers shall be delivered to the commissioner of weights and measures. [Gen. Acts, 1915, c. 253, § 8.]

ENGINEERS AND FIREMEN.

1001. Operators of steam boilers and engines to be licensed. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — No person shall have charge of or operate a steam boiler or engine in this commonwealth, except boilers and engines upon locomotives, motor road vehicles, boilers and engines in private residences, boilers in apartment houses of less than five apartments, boilers and engines under the jurisdiction of the United States, boilers and engines used for agricultural purposes exclusively, boilers and engines of less than nine horse power, and boilers used for heating purposes exclusively which are provided with a device approved by the chief of the district police limiting the pressure carried to fifteen pounds to the square inch, unless he holds a license as hereinafter provided. The owner or user of a steam boiler or engine, other than boilers or engines above excepted, shall not operate or cause to be operated a steam boiler or engine for a period of more than one week, unless the person in charge of and operating it is duly licensed: *provided, however, that in manufacturing plants an unlicensed person may operate, under a licensed person on duty, a simple non-condensing engine of not more than one hundred and fifty horse power.* [Gen. Acts, 1915, c. 259, § 1.]

1002. Prima facie evidence. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — If such steam engine or boiler is found to be in charge of, or operated by, a person who is not a duly licensed engineer or fireman and, after a lapse of one week from such time, it is again found to be operated by a person who is not duly licensed, it shall be deemed prima facie evidence of a violation of the provisions of the preceding section. [Gen. Acts, 1915, c. 259, § 2.]

1003. Definition of certain words and phrases. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — The words "have charge" or "in charge", *in this act*, shall designate the person under whose supervision a boiler or engine is operated. The words "operate", "operated" or "operating", in the two preceding sections, shall designate the person who *manipulates* any appurtenances of a boiler or engine: *provided, however, that to work with a licensed person there may be employed not more than one unlicensed person who, in the presence of and under the personal direction of the licensed person, may operate the appurtenances of a boiler or engine.* [Gen. Acts, 1915, c. 259, § 3.]

1004. Application for examination as engineer or fireman. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — Whoever desires to act as engineer or fireman shall apply for a license therefor to the state inspector of boilers for the city or town in which he resides or is employed, upon blanks to be furnished by the boiler inspection department of the district police. The application shall be accompanied by a fee of \$1, and shall show the total experience of the applicant. *The examinations shall be uniform throughout the commonwealth. . . .* [Gen. Acts, 1915, c. 259, § 4.]

1005. Applicant to make oath to statements in his application. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — The applicant shall make oath to the statements contained in his application, and the members of the boiler inspection department of the district police are hereby authorized to administer the oath. Wilful falsification in the matter of a statement contained in an application shall be deemed a sufficient cause for the revocation of the license at any time. . . . [Gen. Acts, 1915, c. 259, § 5.]

1006. To be given a practical examination. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — . . . The applicant shall be given a practical examination, and, if found competent and trustworthy, he shall receive a license graded according to the merits of his examination. . . . [*Gen. Acts, 1915, c. 259, § 6.*]

1007. Classes of licenses. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — Licenses shall be granted according to the competence of the applicant and shall be distributed in the following classes: —

[a] Engineers' licenses: 1st class, to have charge of and operate any steam plant. 2d class, to have charge of and operate a boiler or boilers, and to have charge of and operate engines, no one of which shall exceed 150 horse power, or to operate a 1st class plant under the engineer in direct charge of the plant. 3d class, to have charge of and operate a boiler or boilers not exceeding in the aggregate 150 horse power, and an engine, *or engines*, not exceeding 50 horse power *each*, or to operate a 2nd class plant under the engineer in direct charge of the plant. 4th class, to have charge of and operate hoisting and portable engines and boilers. Portable class, to have charge of or to operate portable boilers and portable engines, except hoisting engines or steam fire engines. Steam fire engineers' class, to have charge of or to operate steam fire engines and boilers.

[b] Firemen's licenses: — Extra 1st class, to have charge of and operate any boiler or boilers. 1st class, to have charge of and operate any boiler or boilers where the safety valve or valves are set to blow at a pressure not exceeding 25 pounds to the square inch, or to operate high pressure boilers under the engineer or fireman in direct charge thereof. 2nd class, to operate any boiler or boilers under the engineer or fireman in direct charge thereof. A person holding an extra 1st class or 1st class fireman's license may operate a 3rd class plant under the engineer in direct charge of the plant.

[c] Special licenses: — A person who desires to have charge of or to operate a particular steam plant, may *if* he files with his application for such examination a written request signed by the owner or user of *the* plant, be examined as to his competence for such service and no other, and, if found competent and trustworthy, he shall be granted a license for such service and no other: *provided, however*, that no special license shall be granted to give any person charge of or permission to operate an engine of over 150 horse power, *except that where the main power plant is run by water power exclusively during the major part of the time, and has auxiliary steam power for use during periods of low water, a special license may be issued to an applicant holding an engineer's license.* [*Gen. Acts, 1915, c. 259, § 7.*]

1007A. Horse power of boilers. — The horse power of a boiler shall be ascertained upon a basis of three horse power for each square foot of grate surface or equivalent, when the safety valve is set to blow at a pressure exceeding twenty-five pounds per square inch, and on a basis of one and one half horse power for each square foot of grate surface or equivalent, when the safety valve is set to blow at twenty-five pounds pressure per square inch or less.

The horse power of a reciprocating steam engine shall be ascertained upon the basis of a mean effective pressure of forty pounds per square inch of piston for a simple engine, fifty pounds for a condensing engine, and seventy pounds for a compound engine, calculated upon the area of the high pressure piston. A variable speed engine shall be rated at its designed mean speed.

A steam turbine engine shall be rated at less than nine horse power when the external diameter of the steam supply pipe does not exceed one and three fourths inches. A steam turbine engine shall be rated at fifty horse power when the external diameter of the steam supply pipe exceeds one and three fourths inches, and does not exceed three and one half inches. A steam turbine engine shall be rated at one hundred and fifty horse power when the external diameter of the steam supply pipe exceeds three and one half inches, and does not exceed five inches. [*Gen. Acts, 1915, c. 259, § 8.*]

1008. Qualifications necessary for examination in the different classes. —

Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: —

[a] *First class engineer.* — . . . To be eligible for examination for a first class engineer's license, a person must have been employed for not less than three years as a steam engineer in charge of a steam plant or plants having at least one engine of over one hundred and fifty horse power, or he must have held and used a second class engineer's license in a second class or first class plant or plants for not less than one and one half years.

[b] *Second class engineer.* — . . . To be eligible for examination for a second class engineer's license, a person must have been employed as a steam engineer in charge of a steam plant or plants having at least one engine of over fifty horse power for not less than two years, or he must have held and used a third class engineer's license either as an engineer, assistant engineer or fireman for not less than one year, or have held and used a special license to operate a first class plant for not less than two years; except that any person who has served three years as apprentice to the machinist or boiler-making trade in stationary, marine or locomotive engine or boiler works and who has been employed for one year in connection with the operation of a steam plant, or any person graduated as a mechanical engineer from a duly recognized school of technology who has been employed for one year in connection with the operation of a steam plant, shall be eligible for examination for a second class engineer's license. . . .

[c] *Third class engineer.* — . . . To be eligible for examination for a third class engineer's license, a person must have been employed as a steam engineer, or fireman in charge of or operating boilers, for not less than one and one half years, or he must have held and used a first class fireman's license for not less than one year. . . .

[d] *First class fireman.* — . . . To be eligible for examination for a first class fireman's license, a person must have been employed as a steam engineer or fireman in charge of or operating boilers for not less than one year, or he must have held and used a second class fireman's license for not less than six months. . . . [*Gen. Acts, 1915, c. 259, § 4.*]

1009. Board of examiners. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — . . . An applicant for a first class or second class engineer's license or for a special license shall be examined by a board of three examiners, one of whom may be the chief inspector, and, if the applicant is employed, one member of said board shall be the state inspector of boilers for the city or town in which the applicant is employed, and the decision of said board shall be final. . . . [*Gen. Acts, 1915, c. 259, § 5.*]

1010. Applicant may have one person present during examination. —

Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — . . . The applicant shall have the privilege of having one person present during his examination, who shall take no part in the same but who may take notes if he

so desires. A period of ninety days shall elapse between examinations, except in the case of an appeal as hereinafter provided. [*Gen. Acts, 1915, c. 259, § 5.*]

1011. Licenses to continue in force, until. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — A license shall continue in force until it is suspended or revoked for the incompetence or untrustworthiness of the licensee, except that a special license shall not continue in force after the holder thereof ceases to be employed in the plant specified in the license. . . . [*Gen. Acts, 1915, c. 259, § 6.*]

1012. When license is suspended or revoked. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — . . . A person whose license is suspended or revoked shall surrender his license to a member of the boiler inspection department. If a new license of a different grade is issued, the old license shall be destroyed by the examiner. If a license is lost, or is destroyed by fire or other means, a new license shall be issued in its place, without re-examination of the licensee, upon satisfactory proof of an examiner of such loss or destruction. [*Gen. Acts, 1915, c. 259, § 6.*]

1013. Licenses shall be conspicuously displayed in engine or boiler rooms. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — An engineer's or fireman's license, granted under the provisions of the seven preceding sections¹ or the corresponding provisions of earlier laws, shall be placed so as to be easily read in a conspicuous place in the engine room or boiler room of the plant operated by the licensee. . . . [*Gen. Acts, 1915, c. 259, § 10.*]

1014. Applicants may appeal from action of examiners. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in the same form as follows: — A person who is aggrieved by the action of an examiner in refusing, suspending or revoking a license, may appeal therefrom to the chief inspector of the boiler inspection department, who shall appoint three members of the boiler inspection department to act together as a board of appeal, one of whom may be said chief inspector. If an appeal is taken, it must be within one week after the decision of the examiner. The appellant shall have the privilege of having one person present during the hearing of his appeal, who shall take no part in the same but who may take notes if he so desires. The decision of the majority of the said examiners, acting as a board of appeal, shall be final. [*Gen. Acts, 1915, c. 259, § 9.*]

1015. Licenses in effect, when. — This act shall take effect *upon its passage*, and a license *then* in force shall continue in force until it is suspended or revoked for the incompetence or untrustworthiness of the licensee, except that a special license shall not continue in force after the holder thereof ceases to be employed on the plant specified in the license. A license in force *upon the passage of this act* may be exchanged for a license of the same class under this act at any time thereafter, on application to the boiler inspection department of the district police, upon forms to be furnished by said department. The applicant shall make oath to the statements contained in the said application, and the members of the boiler inspection department of the district police are hereby authorized to administer the oath. [*Gen. Acts, 1915, c. 259, § 12.*]

1016. Boiler inspection department to enforce act. — Repealed by Gen. Acts, 1915, c. 259, § 13. Re-enacted in new form as follows: — The boiler inspection department of the district police shall act as examiners and enforce the provisions of

¹ Refers to §§ 3 to 9. (See paragraphs 1003-1007, 1007 A, 1008-1012 and 1014.)

this act, and whoever violates any provision *hereof* shall be punished by a fine of not less than ten nor more than \$300, or by imprisonment for not more than three months. A trial justice shall have jurisdiction of complaints for violations of *this act*, and in such cases may impose a fine of not more than \$50. All members of the boiler inspection department of the district police shall have authority, in the pursuance of their duty, to enter any premises on which a boiler or engine is situated, and any person who hinders or prevents or attempts to prevent any state boiler inspector from so entering shall be liable to the penalty specified in this section. [*Gen. Acts, 1915, c. 259, § 11.*]

HOISTING MACHINE OPERATORS (OTHER THAN STEAM).

1017. Operators of certain hoisting machinery must be licensed. — No person shall operate derricks, cableways, machinery used for discharging cargoes, temporary elevator cars used on excavation work or used for hoisting building material, when the motive power to operate such machinery is mechanical and other than steam, unless he holds a license as hereinafter provided [see Acts, 1911, c. 656, § 3]. The owner or user of hoisting machinery specified in this section shall not operate, or cause to be operated, such machinery for a period of more than one week, unless the person operating it is duly licensed. *An applicant for a license under the provisions of this section shall be examined only as to his ability to use the particular machinery or contrivance, whether it be a gasoline engine or electric engine or otherwise, which he desires to operate, and the license granted to him shall be limited to the particular kind of machinery in the use of which he has been examined; but, if he so requests, the applicant may be examined as to his proficiency in the various kinds of machinery or apparatus used for hoisting, and the license granted to him shall include those kinds of machinery or apparatus in respect to which he is found to be competent.* [Acts, 1911, c. 656, § 1, as am. by Gen. Acts, 1915, c. 211.]

1063A. Application of Acts, 1914, c. 791. — The provisions of Acts, 1914, c. 791, shall not apply to any cinematograph or similar apparatus operated with only cellulose acetate films not more than one inch and one fourth in width and using only an enclosed incandescent lamp. [*Gen. Acts, 1915, c. 169.*]

CHAUFFEURS.¹

1065. Licensing of chauffeurs.² — No person shall operate a motor vehicle upon any way in this commonwealth unless licensed under the provisions of this act, except as is otherwise herein provided; but the provisions of this section shall not prevent the operation of motor vehicles by unlicensed persons if riding with or accompanied by a licensed chauffeur or operator, excepting only persons who have been licensed and whose licenses are not in force because of revocation or suspension, *persons whose right to operate has been suspended by the commission*, and persons less than sixteen year of age; but such licensed chauffeur or operator shall be liable for the violation of any provision of this act or of any regulation made in accordance herewith committed by such unlicensed operator: *provided, however*, that the examiners of chauffeurs and operators, in the employ of the commission, when engaged in their official duty,

¹ For complete legislation, rules, and regulations governing the licensing of chauffeurs and the operation of motor vehicles, see manuals issued by the Massachusetts Highway Commission.

² A chauffeur licensed in a state other than Massachusetts may, under conditions prescribed, operate in this state a motor vehicle owned by a non-resident.

shall not be liable for the acts of any person who is being examined. . . . [Acts, 1909, c. 534, § 10, as last am. by Acts, 1914, c. 204, § 3, and by Gen. Acts, 1915, c. 16, § 4.]

1066. Motor vehicles not to be operated except by licensed person. — No person shall employ for hire as a chauffeur any person not specially licensed as aforesaid. No person shall allow a motor vehicle owned by him or under his control to be operated by any person who has no legal right to do so, or in violation of the provisions of this act. [Acts, 1909, c. 534, § 12, as am. by Acts, 1911, c. 37, and by Gen. Acts, 1915, c. 16, § 5.]

1067. Examination for chauffeur's license. — Application to operate *motor vehicles* may be made, by mail or otherwise, to the commission or its duly authorized agent upon blanks prepared under its authority. The fees provided in [Acts, 1909, c. 534,] § 29 shall be deposited with the application. Before such a license is granted the applicant shall pass such examination as to his qualifications as the commission shall require, and no license shall be issued until the commission or its authorized agent is satisfied that the applicant is a proper person to receive it. No operator's license shall be issued to any person under sixteen years of age. To each person shall be assigned some distinguishing number or mark, and the licenses issued shall be in such form as the commission shall determine; they may contain special restrictions and limitations concerning the type of motor power, horse power, design and other features of the *motor vehicles* which the licensee may operate; they shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, and a brief description of the licensee for the purposes of identification; and such other information as the commission shall deem necessary. A person to whom a license to operate *motor vehicles* has been issued, unless such license contains a special limitation or restriction, may operate any registered motor *vehicle*. Special licenses shall be issued to chauffeurs, but no such license shall be issued to any person less than eighteen years of age. Every person licensed to operate *motor vehicles* as aforesaid shall endorse his usual signature on the margin of the license, in the space provided for the purpose, immediately upon the receipt of said license, and such license shall not be valid until so endorsed. . . . [Acts, 1909, c. 534, § 8, as am. by Acts, 1910, c. 605, § 3, and by Gen. Acts, 1915, c. 10, § 1.]

1069. Fees. — The commission or its authorized agents shall collect fees as follows:

For every original operator's or chauffeur's license to operate automobiles, two dollars.

For every renewal of any operator's or chauffeur's license to operate automobiles, one dollar.

For every examination given to an applicant for a license or for the renewal of a license to operate motor vehicles, two dollars.

For every additional copy of a certificate of registration or license, fifty cents.

[Acts, 1909, c. 534, § 29, as am. by Acts, 1914, c. 695, and by Gen. Acts, 1916, c. 140.]

1070. Certain words defined. — Terms used in this chapter shall be construed as follows, unless a different meaning is clearly apparent from the language or context or unless such construction is inconsistent with the manifest intention of the legislature: —

"Automobile" shall include all motor vehicles except motor cycles.

"Chauffeur" shall mean any person who operates a motor vehicle and who directly or indirectly receives pay or any compensation whatsoever for any work or services in connection *therewith*, except only manufacturers, agents, proprietors of garages and dealers, who do not operate for hire. An employee of a manufacturer or a dealer whose principal occupation is that of a salesman may at the discretion of the commission be exempted from this definition and be designated as an operator.

"Commission" shall mean the Massachusetts highway commission.

"Motor vehicle" shall include automobiles, motor cycles and all other vehicles propelled by power other than muscular power, except railroad and railway cars and motor vehicles running only upon rails or tracks, . . . and . . . road rollers. . . . [See paragraph 1070A.]

[*Acts, 1909, c. 534, § 1, as am. by Gen. Acts, 1915, c. 16, § 1.*]

1070A. Licensing of operators of motor vehicles used for municipal purposes. — Whoever operates a motor ambulance, and whoever operates a street sprinkler, fire engine or other fire apparatus, police patrol wagon or any other vehicle which is used by the police, park or other department of any city or town solely for the official business of the city or town, and which is propelled by power other than muscular power shall be subject to all of the provisions of Acts, 1909, c. 534, and acts in amendment thereof, relating to chauffeurs and operators of motor vehicles. [*Gen. Acts, 1915, c. 11.*]

1070B. Licensing by cities and towns of motor vehicles carrying passengers for hire authorized. — (a) *Cities and towns given such authority; bond to be filed.* — Cities and towns shall have authority to license and regulate the transportation of passengers for hire as a business between fixed and regular termini by means of any motor vehicle, except the trackless trolley vehicle, so-called, not running on tracks or rails, and may impose reasonable license fees, make regulations for the operation of such vehicles within their own limits, and impose suitable penalties for the violation of such regulations: *provided, however*, that no such motor vehicle shall be operated as aforesaid until the licensee of the vehicle, in addition to complying with all regulations of the city or town in which the vehicle is to be operated, shall have deposited with the treasurer of any city or town in which a license has been taken out, security by bond or otherwise, approved by the city or town treasurer, in such sum as the city or town may reasonably require, conditioned to pay any final judgment obtained against the principal named in the bond for any injury to person or property, or damage for causing the death of any person, by reason of any negligent or unlawful act on the part of the principal named in said bond, his or its agents, employees or drivers, in the use or operation of any such vehicle. Any person so injured or damaged may sue on the bond in the name of the city or town treasurer, and damages so recovered shall go to the person injured or damaged. [*Gen. Acts, 1916, c. 293, § 1.*]

(b) *Not more than one bond necessary.* — Nothing in this act shall be construed as requiring the licensee to file more than one bond, which shall be filed in any city or town in which a license has been taken out. [*Gen. Acts, 1916, c. 293, § 2.*]

(c) *To take effect only upon acceptance.* — This act shall take full effect in cities upon its acceptance by the city council, and in towns upon its acceptance by the

voters of the town at any duly called town meeting. For the purpose of submitting this act to cities and to towns, it shall take effect upon its passage. [*Gen. Acts, 1916, c. 293, § 3.*]

ELECTRICIANS.

1085A. Electricians to be licensed, when. — Except as hereinafter provided, no person, firm or corporation shall, after Sept. 1, 1915, enter into, engage in, or work at the business of installing wires, conduits, apparatus, fixtures or other appliances for carrying or using electricity for light, heat or power purposes in this commonwealth, either as a master or employing electrician or as a journeyman electrician, unless such person, firm, or corporation shall have received a license or certificate therefor, issued by the board provided for in section two of this act and in accordance with the provisions hereinafter set forth.

The words "master or employing electrician" as used in this act shall mean a corporation, firm or person, having a regular place of business, who, by the employment of journeymen, performs the work of installing wires, conduits, apparatus, fixtures and other appliances for carrying or using electricity for light, heat or power purposes.

The word "journeyman" as used in this act shall mean a person who does any work of installing wires, conduits, apparatus, fixtures and other appliances for hire. [*Gen. Acts, 1915, c. 296, § 1.*]

• **1085B. Appointment of examiners, examinations, etc.** — On and after July 1, 1915, the chairman of the civil service commission, the fire prevention commissioner for the metropolitan district and the commissioner of education shall constitute the state examiners of electricians. They shall employ as clerk a practical electrician, who is a wage earner, and a citizen of the commonwealth, who has had at least ten years' experience in the installation of wires and appliances for carrying electricity for light, heat or power purposes. He shall receive such salary as shall be determined by the state examiners, subject to the approval of the governor and council, and shall hold his office for a term of three years. The three examiners shall receive no compensation for their services under the terms of this act. The compensation of the clerk and the travelling and other necessary expenses of the state examiners, not however to exceed five hundred dollars in the aggregate for each of the members thereof, shall, when approved by the governor and council, be paid from the treasury of the commonwealth.

The state examiners of electricians may make necessary rules for the proper performance of their duties.

They shall hold frequent examinations in the city of Boston, and, twice in each year, shall hold examinations in at least five other convenient places within the commonwealth, and they may hold annual or occasional examinations in other places. Public notice shall be given of all examinations.

The state examiners of electricians shall annually, on or before the first Wednesday in January, transmit to the secretary of the commonwealth a report to the general court of its doings.

In the conduct of the examinations they shall make uniform requirements for all cities and towns, which may be revised from time to time, as circumstances may require. Said examinations shall be sufficiently frequent to give ample opportunity for all applicants to be thoroughly and carefully examined, and may be supervised

by one or more of the members of the board, but no licenses shall be granted without the sanction of the board. Examinations may be given in writing or practical work, as deemed most advisable by the board.

The records of the meeting of said board shall be open for inspection at all times, and the board shall have printed annually a manual of its regulations, including the names of all licensees. [*Gen. Acts, 1915, c. 296, § 2.*]

1085C. Forms of licenses. — (1) Two forms of licenses shall be issued: — The first, hereinafter referred to as "certificate A", shall be known as "master electrician's certificate", the second, hereinafter referred to as "certificate B", shall be known as a "journeyman electrician's certificate."

A "master's certificate" shall be issued to any person, firm or corporation engaged in or about to engage in the business of installing electrical wires, conduits, apparatus, fixtures and other electrical appliances, that shall have qualified under the provisions of this act. A certificate of registration shall be issued specifying the name of the person, firm or corporation so applying, and the name of the person passing said examination, by which he or it shall be authorized to enter upon or engage in business as set forth therein: *provided, however*, that any person, firm or corporation that has been engaged in said business for at least five years next prior to the date of the application shall not be required to pass said examination, but shall present proof of fitness.

The holding of "certificate A" shall not entitle the holder individually to engage in or perform the actual work of installing electric wires, conduits and appliances as previously described in this act, but shall entitle him to conduct business as an employing or master electrician.

(2) "Certificate B," or a journeyman electrician's license, shall be granted to any person who has passed an examination before the examining board provided for in this act, or who shall present proof of fitness and that he has gained his livelihood by the occupation of electrician for five consecutive years next prior to the date of application. A certificate shall be issued specifying the name of the person so engaged, by which certificate such person shall be authorized to enter upon or engage in the occupation of journeyman electrician. Every person desiring an examination shall make application therefor in writing, accompanied by the proper fee. The fee for an examination for certificate "A" shall be \$25 and that for certificate "B" shall be \$1. An applicant who fails in his examination shall not have his fee returned to him, but shall be entitled to one re-examination free of charge. For each subsequent re-examination, he shall pay fifteen dollars in the case of certificate "A" and fifty cents in the case of certificate "B."

(3) All certificates "A" described in paragraph (1) of this section shall expire on the thirty-first day of July in each year, but may be renewed by the same person, firm or corporation, as represented by one or more of its members or officers, without further examination, upon the payment of a fee of \$15, application therefor being made during the month next prior to said expiration of said certificate.

(4) All certificates "B" described in paragraph (2) of this section shall expire on the thirty-first day of July in each year, but may be renewed upon the payment of a fee of fifty cents, and upon the same conditions set forth in paragraph (3) of this section.

(5) All holders of certificates "A" shall keep their certificate of registration displayed in a conspicuous place in their principal offices or places of business, and all

holders of certificates "B" shall be furnished by said board with evidence of their having been so licensed, in card form or otherwise, which shall be carried on the person of the licensee and exhibited on request. [*Gen. Acts, 1915, c. 296, § 3.*]

1085D. Licenses not transferable. — No certificates issued under the provisions of this act, to either master or journeyman, shall be assignable or transferable. Said certificates may be suspended or revoked by the board of examiners upon failure or refusal of the licensee to comply with the rules and requirements of said business as set forth by the board of gas and electric light commissioners, and for other and sufficient causes after a hearing has been held. Such suspension or revocation by said board shall be subject to review by the board of gas and electric light commissioners. [*Gen. Acts, 1915, c. 296, § 4.*]

1085E. Penalties. — Any person, firm or corporation, or employee thereof, and any representative, or any member or officer of such firm or corporation individually entering upon or engaging in the business and work hereinbefore defined, without having complied with the provisions of this act, shall be punished by a fine of not less than \$10 nor more than \$100 for the first offence, and for a second offence by a fine of not less than \$50 nor more than \$500, or by six months' imprisonment in the house of correction, or by both such fine and imprisonment. [*Gen. Acts, 1915, c. 296, § 5.*]

1085F. Disposition of fees and fines, etc. — No person, firm or corporation holding a master's certificate shall be held liable for work done by any of his or its employees without authorization, unless it shall appear that such work was done with his or its knowledge or consent or by his or its authorization.

All fees and fines collected under the provisions of this act shall be paid into the treasury of the commonwealth as hereinbefore provided. [*Gen. Acts, 1915, c. 296, § 6.*]

1085G. Businesses exempt from the act. — This act shall not apply to the installation, repairing and wiring of elevators or to work in connection with the erection, construction, maintenance or repair of lines for the transmission of electricity from the source of supply to the service switch on the premises where it is used by municipal electric plants, by electric companies as defined in Acts, 1914, c. 742, § 1, or by gas companies authorized to engage in the business of making or selling electricity, by electric street railway companies or by electric railroad companies or by railroad companies; nor to the work of such plants or companies on premises owned or controlled by them; nor to the work of said municipal electric plants or of said electric or gas companies in installing, maintaining and repairing, on the premises of customers, service connections and meters and other apparatus and appliances which remain the property of such plants or companies after installation; nor to work in connection with the lighting of streets, alleys, private ways or private or public parks, areas or squares; nor to the work of companies incorporated for the transmission of intelligence by electricity in installing, maintaining or repairing wires, apparatus, fixtures or other appliances used in the business of such companies and necessary for or incident to such business, and whether such wires, conduits, apparatus, fixtures or other appliances are on its own premises or otherwise. [*Gen. Acts, 1915, c. 296, § 7.*]

1085H. Certain electricians excepted. — Nothing in this act shall be construed as forbidding the employment of learners or apprentices working with and under the direct personal supervision of journeymen electricians duly certified as provided in this act.

Electricians employed by theatrical companies may install such temporary wiring and appliances as may be required for the purpose of the engagement of any such company, subject to the supervision of some person licensed under the provisions of this act.

Electricians regularly employed by firms or corporations other than holders of class "A" certificates may install such electrical wiring, conduits and appliances or make such repairs as may be required only on the premises and property of said firms or corporations: *provided*, that said electricians hold a journeyman's license and have complied with all provisions set forth in this act. [*Gen. Acts, 1915, c. 296, § 8.*]

1085I. Penalty for misstatements by applicant. — Any person applying for a journeyman's license who makes any misstatement as to his experience or other qualifications, or any person, firm or corporation subscribing to or vouching for any such misstatement, shall be liable to the penalties set forth in § 4 [see paragraph 1085D] of this act. [*Gen. Acts, 1915, c. 296, § 9.*]

1085J. Repeals. — All acts and parts of acts inconsistent herewith are hereby repealed. [*Gen. Acts, 1915, c. 296, § 10.*]

1085K. Act to take effect, when. — This act shall take effect upon its passage except that its provisions imposing penalties shall not become operative until the board shall have been organized and at least sixty days shall have been allowed to enable applicants to secure licenses or certificates. [*Gen. Acts, 1915, c. 296, § 11.*]

15. PUBLIC EMPLOYMENT.¹

CIVIL SERVICE LAW.

1092A. Examinations, etc., of certain librarians and library workers. — The board of free public library commissioners is hereby authorized to determine by examination or by such rules as it may establish the selection and appointment of supervising librarians and all other library workers who are paid wholly or in part, under the authority of said board, from the treasury of the commonwealth.

The board shall keep a registry of librarians which shall give due credit for experience and successful accomplishment as well as for formal examination, in order to assist library trustees who seek advice from the board in securing qualified librarians and assistants.

Any expense incurred under this act shall be paid from the appropriation for expenses authorized by Acts, 1914, c. 373, § 2. [*Gen. Acts, 1915, c. 106, §§ 1, 2, 3.*]

1098. Users of intoxicating liquors ineligible. — Repealed by Gen. Acts, 1915, c. 76. Re-enacted in new form as follows: — No person habitually using intoxicating liquors to excess shall be appointed to or retained in any office, appointment or employment to which the provisions of this act [R. L., c. 19] apply. [*Gen. Acts, 1915, c. 76.*]

1102A. Peabody school janitors under civil service. — The janitors of the public schools of the town of Peabody shall hereafter be subject to the civil service laws and regulations, and their tenure shall be permanent, except that they may be removed in accordance with said laws and regulations; but the janitors now in service may continue therein without civil service examination.

This act shall take effect upon its acceptance by the selectmen of said town. [*Sp. Acts, 1916, c. 273, §§ 1, 2.*]

¹ See also under Workmen's Compensation and Pension Systems.

1102B. Superintendent of Fall River municipal hospitals and dispensaries to be under civil service. — The general superintendent of municipal hospitals and dispensaries in the city of Fall River shall hereafter be placed under the civil service laws and regulations, and his term of office shall be permanent, except that he may be removed in accordance with the civil service laws and the regulations made thereunder. But the person now holding said office may continue therein without passing the civil service examination. [*Sp. Acts, 1916, c. 313.*]

1102C. Civil service extended to cover members of fire department in West Springfield. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, are hereby made applicable to all present and future members of the fire department of the town of West Springfield.

This act shall be submitted to the voters of the town of West Springfield at the next regular town meeting or at any special town meeting duly called for the purpose, and if accepted by a majority of the voters voting thereon, shall thereupon take full effect. For the purpose of being submitted to the voters as aforesaid this act shall take effect upon its passage. [*Sp. Acts, 1916, c. 350, §§ 1, 2.*]

1102D. Marlborough city marshal or chief of police to be under civil service. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, and the civil service rules made thereunder, and all acts now or hereafter in force relating to the appointment and removal of police officers, shall apply to the city marshal or chief of police of the city of Marlborough.

This act shall be submitted to the voters of the city of Marlborough at the next municipal election, and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise it shall not take effect. [*Sp. Acts, 1916, c. 351, §§ 1, 2.*]

1102E. Revere chief of police to be under civil service. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, and the civil service rules made thereunder, and all acts now or hereafter in force relating to the appointment or removal of members of the police department of the city of Revere, shall apply to the chief of said department.

This act shall be submitted to the voters of the city of Revere at the next municipal election, and if accepted by a majority of the voters voting thereon shall thereupon take full effect; otherwise it shall not take effect. [*Sp. Acts, 1916, c. 360, §§ 1, 2.*]

1102F. Beverly chief of police to be under civil service. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, and the civil service rules and regulations made thereunder, and all acts now or hereafter in force relating to the appointment and removal of police officers, shall apply to the chief of police of the city of Beverly.

This act shall be submitted to the voters of the city of Beverly at the next municipal election and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise it shall not take effect. [*Sp. Acts, 1916, c. 364, §§ 1, 2.*]

1102G. Watertown inspector of poles and wires to be under the civil service. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, and the civil service rules and regulations made thereunder, shall apply to the inspector of poles and wires of the town of Watertown.

This act shall be submitted to the voters of the town of Watertown at the next annual town meeting and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise it shall not take effect. [*Sp. Acts, 1916, c. 365, §§ 1, 2.*]

1102H. Certain Natick employees to be under the civil service. — The board of fire engineers, the permanent and call firemen and members of the police department in the town of Natick shall be subject to the civil service laws and the regulations made thereunder, but without requiring any examination of the present incumbents of said positions.

This act shall take effect upon its acceptance by a majority of the legal voters of the said town present and voting thereon at any town meeting duly called for the purpose. If this act is submitted to the voters of the town of Natick at an annual town meeting the following question shall be placed on the official ballot used for the election of town officers: — “Shall an act passed by the general court in the year 1917 to extend the civil service laws to the board of fire engineers, the permanent and call firemen, and members of the police department in the town of Natick be accepted?”

The provisions of Acts, 1913, c. 835 and amendments thereof, in so far as the same are inconsistent herewith, shall not affect the proceedings under this act.

So much of this act as provides for its submission to the voters of the town of Natick shall take effect upon its passage. [*Sp. Acts, 1917, c. 11.*]

1102I. Caretakers of public playgrounds in Springfield to be under the civil service. — All appointments to the position of caretaker of the public playgrounds in the park department of the city of Springfield shall hereafter be made in accordance with the civil service laws and rules; but no person now holding the said position shall be required to take a civil service examination in order to retain the same.

This act shall take effect upon its acceptance by the city council of said city, with the approval of the mayor: *provided*, that such acceptance and approval occur on or before December thirty-first in the current year. [*Sp. Acts, 1917, c. 255, §§ 1, 2.*]

1102J. Springfield sanitary custodians to be under civil service. — All appointments to the position of sanitary custodian in the city of Springfield shall hereafter be made in accordance with the civil service laws and rules; but no person now holding the said position shall be required to take a civil service examination in order to retain the same.

This act shall take effect upon its acceptance by the city council of said city, with the approval of the mayor: *provided*, that such acceptance and approval shall occur on or before December thirty-first in the current year. [*Sp. Acts, 1917, c. 256, §§ 1, 2.*]

1102K. School janitors in Arlington to be under civil service. — The janitors of the public schools of the town of Arlington shall hereafter be subject to the civil service laws and regulations, and their tenure shall be permanent, except that they may be removed in accordance with said laws and regulations; but the janitors now in service may continue therein without civil service examination.

This act shall be submitted to the voters of the town of Arlington at the next annual town meeting, and shall take effect upon its acceptance by a majority of the voters present and voting thereon. [*Sp. Acts, 1917, c. 268, §§ 1, 2.*]

1102L. Chief of the Gloucester fire department to be under the civil service. — The provisions of R. L., c. 19, and of all acts in amendment thereof and in addition thereto, and the civil service rules made thereunder, and all acts now or hereafter in force relating to the appointment and the removal of members of the fire department of the city of Gloucester shall apply to the chief of said department, but no examination shall be required of the present incumbent.

This act shall be submitted to the voters of the city of Gloucester at the municipal election for the current year, and if accepted by a majority of the voters voting thereon shall thereupon take effect; otherwise it shall not take effect. [*Sp. Acts, 1917, c. 271.*]

1102M. New Bedford firemen and engineers to be under civil service. — The chief engineer of the fire department of the city of New Bedford, and the first, second, and third assistant engineers of the department shall hereafter be subject to, and shall have the benefit of, the civil service laws and the rules and regulations made thereunder; but this act shall not require the passing of any examination by the present holders of the said offices.

A vacancy in the office of chief engineer may at any time be filled by the mayor, subject to confirmation by the city council. All vacancies in the office of assistant engineer shall be filled by appointment by the chief engineer, subject to confirmation by the mayor and board of aldermen.

This act shall take effect upon its acceptance by the city council of the city of New Bedford, with the approval of the mayor. [*Sp. Acts, 1917, c. 272, §§ 1, 2, 3.*]

1102N. Chief of the Holyoke fire department to be under civil service. — The chief of the fire department of the city of Holyoke shall hereafter be subject to the civil service laws and the regulations made thereunder.

This act shall take effect upon its acceptance by a majority of the voters of said city voting thereon at the next municipal election. [*Sp. Acts, 1917, c. 278, §§ 1, 2.*]

1102O. Lawrence city marshal to be under the civil service. — The provisions of R. L., c. 19, and all acts in amendment thereof and in addition thereto, and the civil service rules and regulations made thereunder, and all acts now or hereafter in force relating to the appointment and removal of police officers, shall apply to the city marshal of the city of Lawrence.

This act shall be submitted to the voters of the city of Lawrence at the next municipal election, and shall take effect upon its acceptance by a majority of the voters voting thereon. [*Sp. Acts, 1917, c. 288, §§ 1, 2.*]

1102P. Certain caretakers in Lawrence to be under civil service. — The caretakers of the public comfort station in the city of Lawrence shall hereafter be subject to the civil service laws and regulations, so far as the same are applicable, but without requiring their reappointment or examination.

This act shall take effect upon its acceptance by the city council of said city, with the approval of the mayor. [*Sp. Acts, 1917, c. 312, §§ 1, 2.*]

1113. Relating to removals, etc., in the civil service. — Every person now holding or hereafter appointed to an office classified under the civil service rules of the commonwealth, except members of the police department of the city of Boston, of the police department of the metropolitan park commission, and except members of the district police, whether appointed for a definite or stated term, or otherwise, who is removed therefrom, lowered in rank or compensation, or suspended, or, without his consent, transferred from such office or employment to any other, may, after a public hearing, as provided for by [Acts, 1905, c. 243], and within *thirty* days after such hearing, bring a petition in the police, district or municipal court within the judicial district where such person resides, addressed to the justice of the court and praying that the action of the officer or board in removing, suspending, lowering or transferring him may be reviewed by the court, and after such notice to such officer or board as the court may think necessary, it shall review the action of said officer or board, and hear *any* witnesses, and shall affirm said order unless it shall appear that

said order was made by said officer or board without proper cause or in bad faith, in which case said order shall be reversed and the petitioner be reinstated in his office. The decision of the justice of said police, district or municipal court shall be final and conclusive upon the parties. [*Acts, 1911, c. 624, § 1, as am. by Gen. Acts, 1915, c. 251.*]

1113A. Law relating to removals, etc., in the civil service not applicable to retirement of certain policemen. — The provisions of Acts, 1911, c. 624, shall not apply to the retirement on a pension of members of police departments in cities who are seventy years of age or more. [*Gen. Acts, 1916, c. 113, § 1.*]

1113B. Certain Fall River engineers may be promoted without examination. — The present first assistant call chief engineer of the fire department of the city of Fall River, who has served in that capacity for twelve consecutive years or more, shall be eligible to promotion to the office of deputy chief engineer of said department without a civil service examination, upon presenting a certificate from at least two reputable physicians that he is physically fit for the said office. [*Sp. Acts, 1917, c. 229, § 1.*]

1114A. Metropolitan Park Commission to employ more police officers. — The metropolitan park commission is authorized to appoint and employ as a call officer for temporary police duty on reservations and parkways under its control, any member of the reserve police force of any city or town within the metropolitan parks district, or any person on the list of the civil service commission as eligible for appointment to any such reserve police force: *provided*, that no such person shall so be employed for more than six months, in all, in any calendar year; and *provided, also*, that the assent of the chief of police of the city or town shall first be obtained for the employment of any member of the reserve police force of such city or town as herein provided. Employment by the said commission of any such reserve police officer shall not prevent his employment by the city or town in which he resides whenever his services may be required by the chief of police of the city or town.

Any person appointed or employed in accordance with the provision of this act shall, while on duty, have all the powers and authority conferred upon police officers of the metropolitan park commission by Acts, 1897, c. 121, § 3. [*Gen. Acts, 1916, c. 56, §§ 1, 2.*]

1114B. Certain employees of the Board of Gas and Electric Light Commissioners not subject to civil service. — Any present employee of the board of gas and electric light commissioners may be promoted, or reappointed at the end of his term of office, without being subjected to a civil service examination. The term of office of the present clerk of the board shall not be affected by this act. [*Gen. Acts, 1916, c. 220, § 3.*]

1120A. Civil service rules applicable to employees at the house of correction. — All appointments to positions at the house of correction of the penal institutions departments of the city of Boston shall hereafter be made in accordance with the civil service law and rules of the commonwealth. No person now employed in said department shall be required to take a civil service examination in order to retain his present position.

This act shall take effect on January 1, 1916. [*Sp. Acts, 1915, c. 116, §§ 1 and 2.*]

1132A. Transfer of laborers in the public service. — Laborers in the employ of the Boston transit commission may be transferred to the employ of any city or town in the metropolitan district without examination, and notwithstanding any restriction

in the civil service laws or regulations applicable to such transfers: *provided*, that a request to such effect be made by the head of a department in any such city, with the approval of the mayor, or by the chairman of the board of selectmen in any such town. [*Gen. Acts, 1917, c. 86.*]

1133. Time within which lamplighters may be appointed to certain positions in Boston extended. — Any person who was engaged in the occupation of lamplighter lighting the gas lamps in the streets, alleys, public grounds and parks of the city of Boston, on January 1, 1913, and who has lost or shall within *six* years from said first day of January lose his position by reason of a change in the street lighting methods employed by the city, may in the discretion of the mayor of said city be appointed to a position as laborer in the labor service of any department of the city for which such lamplighter is qualified and fitted by previous training and experience, or subject to the approval of said mayor by the head of any such department of said city without being subject as to his appointment to civil service rules, and without undergoing a civil service examination, and thereupon he shall be registered upon the list in the class to which he has been appointed and shall be subject to civil service laws and rules. [*Acts, 1913, c. 344, § 1, as am. by Acts, 1914, c. 440, § 1, and by Sp. Acts, 1916, c. 296, § 1.*]

1134. To take effect upon acceptance by mayor and city council. — This act shall take effect upon its acceptance¹ by the mayor and the city council of the city of Boston. [*Acts, 1913, c. 344, § 2, as am. by Acts, 1914, c. 440, § 2, and by Sp. Acts, 1916, c. 296, § 2.*]

1137A. Standardization of grades and compensation in civil engineering service to be investigated. — *Resolved*, That the commission on economy and efficiency² be directed to make an investigation relative to the standardization of grades and compensation in the civil engineering service of the commonwealth, as indicated in House Document No. 349 of the current year, and to report thereon with any recommendations which the commission may deem expedient, not later than the second Wednesday of January, 1916. [*Res. 1915, c. 132.*]

1144A. Definition of "call men" in fire departments. — The term "call men or part call men" as used in Acts, 1913, c. 487, § 1, as amended by Acts, 1914, c. 138, shall be construed to include substitute call men. [*Gen. Acts, 1916, c. 119, § 1.*]

WAGES AND SALARIES.

1158. Lists of employees of the commonwealth to be furnished, etc. — Repealed by Gen. Acts, 1917, c. 217. Re-enacted in new form as follows: — Every department, board, commission, bureau, office or institution of the commonwealth shall, at such times as the supervisor of administration may require, prepare and furnish to him such information as he may prescribe concerning all officials and employees of the commonwealth employed in or by such department, board, commission, bureau, office or institution for whose services money has been paid from the treasury of the commonwealth. Such information shall be collected at least once in every fiscal year and shall cover the fiscal year preceding. From the information so collected the supervisor shall keep a record, open to public inspection, showing the name, residence, designation, rate of compensation and date of appointment or qualification

¹ Acts, 1913, c. 344, and Acts, 1914, c. 440, were accepted by the mayor of Boston and the city council on April 4, 1913, and August 18, 1914, respectively.

² Succeeded by the Supervisor of Administration.

of every such official and employee, and any increase in the rate of salary or compensation paid to him during the preceding fiscal year. The record shall also contain such other information concerning such officials and employees as, in the opinion of the supervisor, may be desirable. It shall be the duty of the auditor of the commonwealth, upon request of the supervisor, to verify a list of officials and employees, the amounts and rates of compensation and other information concerning payments to officials and employees about whom information is furnished. The supervisor shall compile such information concerning the officials and employees in the service of the commonwealth on November 30, 1917, as, in his opinion, may be of public interest, and the said information shall be printed at the expense of the commonwealth not later than April 15, 1918. Thereafter information on the same subject shall be compiled by the supervisor, and printed not later than the fifteenth day of April in each even numbered year. The document so published shall contain such summary and comparative tables as will best show the numbers of officials and employees in the service of the commonwealth during the two years for which the publication is issued, and during the preceding period of two years, to be arranged in such manner as will make them of the greatest practical utility. The document may be revised or rearranged from time to time at the discretion of the supervisor. [*Acts, 1910, c. 268, § 1, as last am. by Acts, 1913, c. 534, and by Gen. Acts, 1917, c. 217.*]

1158A. Examination and report relative to salaries of certain state and county employees. — *Resolved*, That there be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two thousand dollars to be expended, by order of the governor and council, in making an examination and report relative to the salaries and other compensation paid to certain state and county officials and employees, in response to a request of the general court embodied in an order adopted in the senate on the sixteenth day of March, and in the house of representatives on the seventeenth day of March, in the current year. [*Res., 1916, c. 94.*]

1161A. Salaries of certain state employees to be temporarily increased. — (a) *Employees affected by the act.* — All persons who have been regularly in the employ of the commonwealth from the first day of July in the year 1916, including the pages of the senate and house of representatives appointed in the year 1916, and whose annual compensation in full for all services rendered does not exceed fifteen hundred dollars, shall, until final action shall have been taken upon the report of the governor's council on the standardization of salaries of employees of the commonwealth under the authority of an order adopted in the senate on the sixteenth day of March and in the house of representatives on the seventeenth day of March in the year 1916, receive additional compensation as hereinafter provided. [*Gen. Acts, 1917, c. 323, § 1.*]

(b) *Amount of increase.* — The compensation of all employees who are included in the provisions of section one, except as hereinafter provided, shall, for the period specified therein, be increased twenty per cent from and after the first day of July in the current year, but in no event shall such additional compensation exceed \$100 per year, nor shall the total compensation paid to any employee exceed \$1,500 per year. The above increase shall be computed upon the compensation which the employee was receiving on the first day of July in the year 1916. [*Gen. Acts, 1917, c. 323, § 2.*]

(c) *Certain employees to have further additional compensation.* — All persons included in the provisions of section one who are receiving from the commonwealth

as a part of their compensation maintenance in full or in part, provided that the amount of compensation which they receive in full for all services in addition to such maintenance does not exceed \$1,200 a year, shall, for the period specified in said section, receive as additional compensation a sum equal to one half the additional compensation provided for by § 2. All employees who are receiving as part of their compensation maintenance in whole or in part and whose compensation, other than maintenance, exceeds the sum of \$1,200 a year, shall not be entitled to additional compensation under the provisions of this act. [*Gen. Acts, 1917, c. 323, § 3.*]

(d) *Construction of the act.* — This act shall not be construed as in any way repealing or abridging any act providing for the increase of compensation of any employees of the commonwealth, including employees whose salaries, under existing provisions of law, are made to increase automatically, by graduated installments, from year to year, until the maximum therein provided has been reached, but employees who accept additional compensation under the provisions of this act shall not, during such time as they shall continue to receive the additional compensation herein provided for, be entitled to the benefit of any increase in compensation which they may have received since July 1, 1916, or to which they may hereafter become entitled. But any such employee may at any time elect to receive any increase in compensation to which he might otherwise be entitled in lieu of the additional compensation hereby provided for. [*Gen. Acts, 1917, c. 323, § 4.*]

1172A. Appointment and powers of stenographers in the county of Suffolk.

— The justices of the superior court, or a majority of them, shall appoint a stenographer for *each regular session* of said court held for civil business and for *each of the two divisions of the session* of said court held for criminal business within and for the county of Suffolk, and a stenographer for said court in all other counties. They may also, if the business of the court requires it, appoint an additional stenographer in any county except Suffolk, who shall serve when designated for duty. Each stenographer shall be an officer of the court and shall be sworn, and the same person may be appointed stenographer for more than one county. Such justices, or a majority of them, may remove said stenographers at any time, and may fill a vacancy which is caused by such removal or otherwise. [*R. L., c. 165, § 80, as am. by Gen. Acts, 1915, c. 142, § 1, and c. 295, § 1.*]

1172B. Salaries of Suffolk county stenographers. — Stenographers who are appointed for the sessions of the superior court for civil business with juries in the county of Suffolk and the *stenographers* appointed for the *session* of said court for criminal business in said county shall each receive an annual salary of \$2,500 which shall be paid by the county; stenographers appointed for the sessions of said court without juries shall each receive such salary as the justices of said court shall establish, not exceeding \$2,500 which shall be paid by the county. The stenographers appointed for the superior court for other counties which contain a population of more than two hundred thousand shall each receive such salary as the justices of said court shall establish, not exceeding \$2,500 a year. [*R. L., c. 165, § 88, as am. by Gen. Acts, 1915, c. 142, § 2, and Gen. Acts, 1915, c. 295, § 2.*]

1173. Wages for mechanics on public works. — . . . The wages for a day's work paid to mechanics and teamsters employed in such construction of public works [by the commonwealth, or by a county, city or town, or by persons contracting therewith, Acts, 1914, c. 474, § 1] shall be not less than the customary and prevailing rate of wages for a day's work in the same trade or occupation in the locality, city or town

where such public works are constructed. Any contractor who knowingly and wilfully violates the provisions of this section shall be punished by a fine of not more than \$100 for each offence. [*Acts, 1909, c. 514, § 21, as am. by Acts, 1914, c. 474, § 1, and by Gen. Acts, 1917, c. 260.*]

1177A. Salaries of elevator men employed by the county of Suffolk. — The elevator men employed by the county of Suffolk in the court house of the said county shall hereafter receive a salary of \$780 a year, payable in weekly instalments.

This act shall take effect upon its approval by the mayor and city council of the city of Boston. [*Gen. Acts, 1915, c. 186, §§ 1, 2.*]

1179A. Appropriation for payment of increase of wages due certain prison employees. — *Resolved*, That there be allowed and paid out of the treasury of the commonwealth, with the approval of the superintendent of the reformatory for women and the board of prison commissioners, to persons entitled thereto, certain sums of money, not exceeding \$2,600, which should have been paid under Acts, 1914, c. 458, being an act relative to the wages of male laborers at the reformatory for women, from April 30, 1914, the date on which the said act was approved, until September 20, 1915. [*Res., 1916, c. 118.*]

1181A. Wages of assistant engineers at the state house. — The compensation of the assistant engineers employed in the state house shall hereafter be \$1,400 a year. [*Gen. Acts, 1916, c. 267, § 1.*]

1181B. Wages of helpers in the engineer's department in the state house. — The salaries of the helpers in the engineer's department in the state house shall be \$900 a year. [*Gen. Acts, 1916, c. 254, § 1.*]

1181C. Wages of firemen employed at the state house. — The firemen employed in the state house shall be paid \$19.25 per week. [*Gen. Acts, 1916, c. 255, § 1.*]

1181D. Wages of scrubwomen employed in Suffolk county courthouse. — The scrubwomen employed by the county of Suffolk in the courthouse of the said county shall hereafter receive a weekly wage of \$10.

This act shall take effect upon its acceptance by the city council of the city of Boston with the approval of the mayor. [*Gen. Acts, 1917, c. 272, §§ 1, 2.*]

1182A. Wages of assistant engineers at the state prison. — There shall be not more than three assistant engineers at the state prison whose salaries shall not exceed \$1,100 per annum. [*Gen. Acts, 1916, c. 278, § 1.*]

1182B. Compensation of employees of the commonwealth in naval or military service. — There shall be allowed and paid, out of the treasury of the commonwealth, to every employee of the commonwealth who has been or is hereafter mustered into the military or naval service of the United States during the present war, an amount equal to the difference between the compensation received by him from the United States, plus the compensation received as extra military pay, received from the commonwealth, and the amount which he was receiving from the commonwealth at the time when he was mustered in. The said payments shall continue so long as he continues in the military or naval service of the United States, but shall cease one month after the termination of the war. In case of his death in the said service his widow, minor children, parents or dependents shall receive the said sum until the termination of the war.

The said sums shall be payable monthly by cheques signed by the treasurer and receiver general, which shall be sent to the person to whose order they are drawn, or

to his wife, parent or child, or to any other person designated by the beneficiary by a writing filed with the treasurer and receiver general, or sent to him by mail. [*Gen. Acts, 1917, c. 301, §§ 1, 2.*]

1182C. Certain national guardsmen to receive their salaries as state employees. — *Resolved*, That there be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, to those members of the national guard of Massachusetts, now or formerly in the employ of the commonwealth, who served as non-commissioned officers or privates on the Mexican border under the call of the president of June 19, 1916, the difference between the sums received by them as soldiers and the sums which they would have received as civilian employees of the commonwealth. The adjutant general shall furnish the auditor of the commonwealth with the names of such employees, the sums of money received by them as national guardsmen, and the dates when they were mustered into and out of the federal military service. The auditor shall thereupon certify for payment the sums to which they are entitled under this resolve. [*Res., 1917, c. 43.*]

1182D. Cities and towns may pay their employees enlisted in the U. S. service certain extra compensation. — Cities and towns are hereby authorized to pay to employees leaving their service between March 25, 1917, and the close of the war, as determined by the United States government, for the purpose of entering the military or naval service of the United States, an amount equal to the difference between the compensation which such employees were receiving at the time of leaving such service and the pay which they receive while in said military or naval service under the acts of congress and of this commonwealth, including aid to their dependents. The payments herein provided for shall date from the time when the employee leaves the service of the city or town. Payments hereunder shall continue to be made for six months after the close of the war as determined aforesaid unless the recipient is sooner discharged.

This act shall take effect in cities upon its acceptance by the mayor and city council, or by the commission in cities where there is a commission form of government, and in towns upon its acceptance by the voters of the town at any regular or special town meeting. [*Gen. Acts, 1917, c. 254, §§ 1, 2.*]

1182E. Compensation to be allowed state employees while serving in the militia. — Any person in the service of the commonwealth shall be entitled, during the time of his service in the organized militia under the provisions of Acts, 1908, c. 604, §§ 141, 142, 151, 152 and 160, and acts in amendment thereof and in addition thereto, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials. [*Gen. Acts, 1916, c. 126.*]

HOURS OF LABOR.

1193. Eight hours to constitute a day's work for public employees.¹ — The service of all laborers, workmen and mechanics, now or hereafter employed by the commonwealth or by any county therein or by any city or town which has accepted the provisions of R. L., c. 106, § 20, or of Acts, 1909, c. 514, § 42, or by any contractor or sub-contractor for or upon any public works of the commonwealth or of any county

¹ For an act providing that the state printing contract shall be based on an eight hour day, see Resolves, 1917, c. 123.

therein or of any such city or town, is hereby restricted to eight hours in any one calendar day, and to *forty-eight hours in any one week*, and it shall be unlawful for any officer of the commonwealth or of any county therein, or of any such city or town, or for any such contractor or sub-contractor or other person whose duty it shall be to employ, direct or control the service of such laborers, workmen or mechanics to require or permit any such laborer, workman or mechanic to work more than eight hours in any one calendar day, or *more than forty-eight hours in any one week*, except in cases of extraordinary emergency. Danger to property, life, public safety or public health only shall be considered cases of extraordinary emergency within the meaning of this section. In cases where a Saturday half holiday is given the hours of labor upon the other working days of the week may be increased sufficiently to make a total of forty-eight hours for the week's work. Threat of loss of employment or to obstruct or prevent the obtaining of employment or to refrain from employing in the future, shall each be considered to be "requiring" within the meaning of this section. Engineers shall be regarded as mechanics within the meaning of this act. (See paragraphs 1196 and 1196A for other sections of this act.) [*Acts, 1909, c. 514, § 37, as am. by Acts, 1911, c. 494, § 1, and by Gen. Acts, 1916, c. 240, § 1.*]

1193A. Investigation concerning hours of labor of public employees. — [For text of Resolve, 1915, c. 137, see paragraph 1216B.]

1196. Act not to apply in certain cases. — This act (see also paragraphs 1193 and 1196A) shall not apply to the preparation, printing, shipment and delivery of ballots to be used at a caucus, primary, state, city or town election, nor during the sessions of the general court to persons employed in legislative printing or binding; nor shall it apply at any time to persons employed in any state, county or municipal institution, on a farm, or in the care of the grounds, in the stable, in the domestic or kitchen and dining room service or in store rooms or offices, *nor to persons employed by the trustees of the Massachusetts nautical school, on boats maintained by the district police for the enforcement of certain laws in the waters of the commonwealth, or in connection with the care and maintenance of state armories.* [*Acts, 1911, c. 494, § 4, as am. by Gen. Acts, 1916, c. 240, § 2.*]

1196A. When act is to take effect. — This act (for other sections, see paragraphs 1193 and 1196) shall take effect on July 1, 1916: *provided, however*, that the provisions of section one shall not take effect in any city until accepted by vote of the city council, approved by the mayor, or by vote of the commission in any city under a commission form of government, nor in any town until accepted by the voters thereof at an annual meeting or at a special meeting called for the purpose. [*Gen. Acts, 1916, c. 240, § 3.*]

1196B. Westfield to vote upon the acceptance of the eight hour law. — There shall be placed upon the official ballot to be used at the annual town meeting in the town of Westfield for the current year the following question: — "Shall the town accept the provisions of Acts, 1909, c. 514, § 42, as affected by Acts, 1911, c. 494, as am. by Gen. Acts, 1916, c. 240, which provides that eight hours shall constitute a day's work for city or town employees?" If a majority of the voters voting thereon vote in the affirmative, the said § 42 and the said c. 494, as amended, shall thereupon take effect in the town of Westfield. [*Sp. Acts, 1917, c. 133.*]

VACATIONS, HALF HOLIDAYS AND "DAYS OFF."

1211A. Vacations for employees of the Boston Municipal Printing Plant.

— Employees of the municipal printing plant of the city of Boston who have been regularly employed therein for one year or more shall be granted annually a vacation of two weeks without loss of pay, at such times as in the opinion of the superintendent of the printing plant will cause the least interference with the regular work of the said plant. [*Sp. Acts, 1916, c. 129, § 1.*]

1212A. "Days off" for members of Leominster fire department.

— Members of the fire department of the city of Leominster, in addition to any annual vacation now or hereafter allowed, shall be excused from duty for one out of every five days, without loss of pay, at such times and in such manner as the chief, or other officer or board at the head of the fire department shall determine, subject to the right of the chief, or other officer or board, in case of a public emergency, to suspend the said privilege: *provided*, that the day off shall be granted as soon thereafter as is practicable. [*Sp. Acts, 1916, c. 144, § 1.*]

1212B. Act to be submitted to voters for acceptance.

— This act shall be submitted to the voters of the city of Leominster at the next municipal election therein, and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise, it shall not take effect. [*Sp. Acts, 1916, c. 144, § 2.*]

1214A. "Days off" for members of fire departments of certain cities.

— Members of the fire department of any of the cities hereinafter named which accepts the provisions of this act, as hereinafter provided, shall be excused from duty for one day out of every five days, without loss of pay. The time and the manner of so excusing them shall be determined by the chief, or other officer or board at the head of the fire department. [*Gen. Acts, 1915, c. 97, § 1.*]

1214B. Firemen's "day off" may be cancelled, when.

— The chief, or other officer or board at the head of any such fire department shall have authority, in case of any public emergency, to prevent any member of the department from taking the day off herein provided for at the time when he is entitled thereto, or at the time assigned therefor, provided that such day off shall be granted to him as soon thereafter as is practicable; and such days shall be in addition to any annual vacation now or hereafter allowed to the members of said departments, and such annual vacation shall not be diminished on account of the days off herein provided for. [*Gen. Acts, 1915, c. 97, § 2.*]

1214C. Act to be submitted to voters of certain cities.

— This act shall be submitted to the voters of the cities of Lowell, Taunton, Attleboro and Revere at the next municipal election therein, and shall take effect in any of the said cities upon its acceptance by a majority of the voters voting thereon; otherwise, it shall not take effect. [*Gen. Acts, 1915, c. 97, § 3.*]

1216A. Saturday half-holiday for certain employees of the Massachusetts Agricultural College.

— The provisions of Acts, 1914, c. 688, and of the amendments thereof, relative to making Saturday a half-holiday for laborers, workmen and mechanics employed by or on behalf of the commonwealth and otherwise regulating their employment, shall apply to the Massachusetts Agricultural College. [*Gen. Acts, 1915, c. 288, § 1.*]

1216B. Investigation relative to half-holidays of laborers, workmen and mechanics.

— *Resolved*, That the subject-matter contained in the bill relative to the

hours of labor of public employees, printed as House Document No. 397, and in the bill relative to Saturday half-holidays for laborers, workmen and mechanics employed by or on behalf of the commonwealth, printed as House Document No. 2140, both of the current year, be referred to the commission on economy and efficiency for investigation. Said commission shall report the results of its investigation, together with such recommendations as it may deem advisable, to the next general court on or before the second Wednesday in January. [*Res. 1915, c. 137.*]

1217. Half holiday for certain laborers and mechanics, etc. — Laborers and mechanics in the service of the metropolitan water and sewerage board or the metropolitan park commission, except those employed in the pumping stations of the metropolitan water and sewerage board and at the bath-houses under the control of the metropolitan park commission, shall be given a half holiday each week without loss of pay, and, if practicable, the half holiday shall be on Saturday. If, however, the public service so requires, the metropolitan park commission and the metropolitan water and sewerage board may at any time during the year give to the laborers and mechanics in their service, in lieu of the said half holidays, days off duty without loss of pay equivalent in time to the half holidays which would otherwise be given under this act. [*Acts, 1912, c. 528, § 1, as am. by Acts, 1914, c. 455, and by Gen. Acts, 1916, c. 258.*]

1219A. Vacations for laborers employed by cities and towns. — Any city in which a majority of the voters at the last state election voted to accept the provisions of Acts, 1914, c. 217, may by vote of the city council, approved by the mayor, or by vote of the commission in any city under a commission form of government, require the heads of the executive departments to grant a vacation of two weeks without loss of pay to any person regularly employed by such city who is classified as a common laborer, skilled laborer, mechanic or craftsman in the labor service, as classified by the civil service commission, under regulations established by said commission for cities to which the labor rules adopted by the civil service commission are or may become applicable. If such vacations are authorized, they shall be granted by the heads of the executive departments, and shall begin at such times as in the opinion of the heads of the executive departments will cause the least interference with the performance of the regular work of the city. [*Gen. Acts, 1915, c. 60.*]

1219B. Half-holiday for county employees.¹ — They [the county commissioners] may allow one half-holiday in each week without loss of pay to county employees, including therein laborers, mechanics and all other classes of workmen, during such portions of the year as they may determine. [*R. L., c. 20, § 26.*]

1219C. Vacations for laborers in cities. — The question of accepting the provisions of Acts, 1914, c. 217, relative to vacations for laborers, shall, in cities that have not accepted said provisions, be placed upon the ballot to be used at the next state election, and the said provisions shall take effect in any city in which the said question is answered in the affirmative by a majority of the voters voting thereon.

The provisions of Gen. Acts, 1915, c. 60, relating to vacations for laborers shall apply to any city which, under the provisions of § 1 hereof, votes to accept the provisions of said c. 217. [*Gen. Acts, 1917, c. 16, §§ 1, 2.*]

1219D. Half-holiday for Somerville laborers, teamsters, etc. — Laborers, teamsters and mechanics employed by the city of Somerville shall hereafter receive a half-holiday on Saturday without loss of compensation.

¹ This section was inadvertently omitted from the Handbook of Labor Laws, 1914.

This act shall be submitted to the voters of the city of Somerville at the city election in the current year in the form of the following question to be placed on the official ballot: "Shall the laborers, teamsters and mechanics employed by the city of Somerville receive a half-holiday on Saturdays without loss of pay?"

YES.	
NO.	

If a majority of the voters voting on the said question vote in the affirmative, this act shall thereupon take effect; otherwise it shall be of no effect. [*Sp. Acts, 1917, c. 205, §§ 1, 2.*]

PREFERENCE TO CITIZENS.

1225. Preference to citizens in construction of public works. — In the employment of mechanics, *teamsters* and laborers in the construction of public works by the commonwealth, or by a county, city or town, or by persons contracting therewith, preference shall be given to citizens of the commonwealth, and, if they cannot be obtained in sufficient numbers, then to citizens of the United States; and every contract for such works shall contain a provision to this effect. . . . Any contractor who knowingly and wilfully violates the provisions of this section shall be punished by a fine of not more than one hundred dollars for each offence. [*Acts, 1909, c. 514, § 21, as am. by Acts, 1914, c. 474, § 1, and by Gen. Acts, 1917, c. 260.*]

16. RAILROAD LABOR.

HOURS OF LABOR AND "DAYS OFF."

1239. Hours of labor of motormen, conductors, etc. — A day's work for all conductors, guards, drivers, motormen, brakemen, *dispatchers* and gatemen who are employed by or on behalf of a street railway or elevated railway company shall not exceed 9 hours, and shall be so arranged by the employer that it shall be performed within 11 consecutive hours. No officer or agent of any such company shall require from said employees more than 9 hours' work for a day's labor. Threat of loss of employment or threat to obstruct or prevent the obtaining of employment by the employees, or threat to refrain from employing any employee in the future shall be considered coercion and "requiring", within the meaning of this section. But nothing herein shall prevent an employee of the character mentioned in this act, if he so desires, from working more hours than those prescribed in the act for extra compensation. [*Acts, 1906, c. 463, Pt. III, § 95, as last am. by Acts, 1913, c. 833, § 1, and by Gen. Acts, 1915, c. 277.*]

INJURIES TO RAILROAD EMPLOYEES.¹

1271. Tools to be carried on trains. — Every railroad corporation shall equip each of its trains, for use in case of accident, with two car replacers, two jack screws, two crowbars, one pinch bar, one claw bar, one spike hammer, two sharp axes, and ropes or chains suitable for hauling cars; and shall also equip each car of every passenger train which is owned or regularly used by it, including mail and baggage cars, with two sets of tools, consisting of an axe, a sledge hammer, a crowbar, handsaw

¹ For an act further regulating the reports of evidence at inquests in cases of deaths by accidents to passengers and employees on railroads and railways, see General Acts, 1917, c. 94.

and pail, which shall be maintained in good condition, and one set of which shall be kept upon the inside and the other upon the outside of every such car, in a convenient place and in a manner approved by the *public service commission*; but one set shall be sufficient if so placed as to be accessible both from the inside and outside of such car: *provided, however, that said commission may require trains or cars to be equipped with other tools in substitution for, or in addition to, those above prescribed.* A corporation which violates the provisions of this section shall forfeit five hundred dollars. [*Acts, 1906, c. 463, Pt. II, § 168, as am. by Gen. Acts, 1917, c. 41.*]

1286. Action if death follows conscious suffering. — If the injury described in the preceding section [see *Acts, 1909, c. 514, § 127*], or an injury caused by the negligence of the employer himself, results in the death of the employee, and such death is not instantaneous or is preceded by conscious suffering, and if there is any person who would have been entitled to bring an action under the provisions of the following section [see *Acts, 1909, c. 514, § 129*] the legal representatives of said employee may, in the action brought under the provisions of the preceding section [see *Acts, 1909, c. 514, § 127*], recover damages for the death in addition to those for the injury; and in the same action under a separate count at common law, may recover damages for conscious suffering resulting from the same injury. [*Acts, 1909, c. 514, § 128, as am. by Gen. Acts, 1915, c. 179.*]

17. PRISON LABOR.

1312. Removal of prisoners. — [The director of the Massachusetts bureau of prisons] may remove prisoners from the Massachusetts reformatory, the state farm, and the jails and houses of correction to the *camp section of the prison camp and hospital, and from the state prison such prisoners other than those serving sentences for life as have shown by their conduct and disposition that they would be amenable to less rigorous discipline and would benefit from work in the open air*, and may, at any time, return them to the place of imprisonment from which they were removed. [*R. L., c. 225, § 96, as am. by Acts, 1905, c. 240, § 1, and by Gen. Acts, 1916, c. 76, § 1.*]

1323A. Preparation of road material at the prison camp and hospital. — The superintendent of the prison camp and hospital at Rutland, may, with the approval of the board of prison commissioners, employ the prisoners confined in the camp section of the said prison camp and hospital in the preparation of road material, and for this purpose is authorized to use such machinery as said board may consider necessary. [*Gen. Acts, 1915, c. 260, § 1.*]

1323B. Investigation relative to widening a certain highway by prison labor. — *Resolved*, That the Massachusetts highway commission is hereby requested to make an investigation as to the expediency and probable cost of widening a highway between Boston and Worcester by way of the turnpike in Shrewsbury to such an extent as, in the opinion of the commission, may be desirable to shorten the route and otherwise to accommodate public travel, and also as to the expediency of employing the labor of prisoners in connection with said work. The commission shall report the result of its investigation to the next general court. [*Res., 1915, c. 60.*]

1335. Making of goods for the use of public institutions by the labor of prisoners. — For the purpose of determining the styles, designs and qualities of articles and materials to be made by the labor of prisoners for use in the public institutions in accordance with *R. L., c. 225, § 45*, the superintendents of institutions for

the insane, the superintendents of other charitable institutions, and the officers in charge of penal and reformatory institutions, respectively, shall hold meetings annually in *May*. The day and place of each of said meetings shall be assigned by the prison commissioners who shall give to the officers concerned at least 10 days' notice thereof. If a superintendent or officer in charge is unable to be present at a meeting he may delegate one of his assistants to attend in his behalf. Each meeting shall organize by the choice of a chairman and clerk; and within one week after the meeting, these officers shall formally notify the prison commissioners of the styles, designs and qualities adopted by the meeting for use in each class of institutions. The expense of attending any of said meetings shall be repaid to the respective officers in the same way as other travelling expenses are paid; and any other expense of the meetings shall be paid from the Prison Industries Fund upon the approval of the prison commissioners. [*Acts, 1910, c. 414, § 1, as am. by Gen. Acts, 1915, c. 207, § 1.*]

1336. Descriptive list of styles, designs, etc., to be issued. — In *September* of each year the prison commissioners shall issue to said superintendents and officers in charge a descriptive list of the styles, designs and qualities of said articles and materials; and the requisitions named in R. L., c. 225, § 54 shall conform to the said list, unless it appears that the needs of an institution demand a special style, design or quality. Any difference between the prison officials and the institutions in regard to styles, designs and qualities shall be submitted to arbitrators whose decision shall be final. One of said arbitrators shall be named on behalf of the prison by the chairman of the prison commissioners, one by the principal officer of the other institution concerned, and one by agreement of the other two. The arbitrators shall be chosen from the official service and shall receive no compensation for performance of any duty under this act; but their actual and necessary expenses shall be paid by the prison or other institution against which their award is given. [*Acts, 1910, c. 414, § 2, as am. by Gen. Acts, 1915, c. 207, § 2.*]

1337. Estimate of materials needed, to be sent to the prison commissioners annually. — Annually in *November* the principal officers of all public institutions included by the terms of R. L., c. 225, § 45, shall send to the prison commissioners an estimate of the quantities of the articles and materials that will be needed for their respective institutions during the ensuing calendar year. Said estimates shall generally observe the styles, designs and qualities named in the descriptive list; and if any special style is desired in considerable quantity, the estimate shall contain a request that the prison commissioners will arrange for the manufacture of such special articles as may be needed. [*Acts, 1910, c. 414, § 3, as am. by Gen. Acts, 1915, c. 207, § 3.*]

1340A. Receipts from farm and poultry products. — Receipts from the sale of farm and poultry products or other materials produced by the labor of prisoners at the prison camp and hospital shall be paid into the treasury of the commonwealth monthly. So much thereof as may be necessary to pay the expense of providing machinery, equipment and other things necessary, including services of supervision to conduct the activities which produce the receipts above referred to, may be paid therefrom on schedules of vouchers approved by the superintendent and board of prison commissioners without specific appropriation. The surplus of the receipts remaining at the end of the fiscal year after making payments as above authorized shall be transferred and applied towards the maintenance expenses of said institution. [*Gen. Acts, 1915, c. 260, § 2.*]

1350. Establishment of prison camp. — After such land has been so taken, the prison commissioners, with the approval of the governor and council, shall cause iron buildings of cheap construction to be erected thereon for the accommodation of prisoners. When such buildings are ready for occupancy, the governor may issue his proclamation establishing on such land a temporary industrial camp for prisoners, and the prison commissioners may appoint a superintendent thereof, who shall hold his office at their pleasure, give such bond as they require, receive such salary as they determine and who shall have the custody of all prisoners removed thereto. The superintendent, with the approval of the prison commissioners, may appoint and determine the compensation of assistants, and they shall hold their office at his pleasure. [*R. L., c. 225, § 65, as am. by Gen. Acts, 1916, c. 183, § 1.*]

1352A. Power to release prisoners transferred. — All the powers of the board of prison commissioners to release a prisoner from the prison camp and hospital on permit to be at liberty, to revoke a permit so issued, and to return him to the prison camp and hospital, are hereby transferred to and vested in the board of parole for the state prison and the Massachusetts reformatory. [*Gen. Acts, 1915, c. 141.*]

1356A. Use of prison labor in improvement of lands at the Rutland Sanatorium. — *Resolved*, That there be allowed and paid out of the treasury of the commonwealth, to be expended at the Rutland state sanatorium by the trustees of hospitals for consumptives, a sum not exceeding \$5,000 for the employment of prison labor in the improvement of lands and in other work. [*Res., 1916, c. 108.*]

1361. County commissioners may purchase or lease land for purposes of cultivation, etc. — The county commissioners of any county may purchase or lease land with funds specifically appropriated therefor by the general court for the purpose of improving and cultivating it by the labor of prisoners from a jail or house of correction; and the said commissioners may also make arrangements with the *Massachusetts highway commission* or with the officials of a city or town to work said prisoners on any highway or unimproved land, or with a private owner, to improve waste or unused land by means of such prison labor. When prisoners are so employed they shall be in the custody of the sheriff of the county. When land that is not the property of the county, or is a highway, is so improved, the owners thereof or those having in charge the highway shall pay to the county such sums as may be agreed upon between the county commissioners, sheriff, and the other parties in interest, for the labor of any prisoners employed thereon. [*Acts, 1913, c. 633, § 2, as am. by Acts, 1914, c. 180, and by Gen. Acts, 1915, c. 177.*]

1361A. Director of prisons may purchase or lease land for cultivation by prison labor, etc. — The director of prisons may purchase or lease land, with funds specifically appropriated therefor by the general court, for the purpose of improving and cultivating it by the labor of prisoners from the prison camp and hospitals; and the director of prisons may also make arrangements with officials of the commonwealth and officials of cities and towns to employ the said prisoners on any unimproved land, and in the construction, repair and care of public institutions and highways adjacent thereto. When prisoners are so employed they shall be in the custody of the superintendent of the prison camp and hospital. There shall be paid into the treasury of the commonwealth monthly for the labor of any prisoners employed as above provided, such sums as may be agreed upon between the director of prisons, the superintendent of the prison camp and hospital and the other parties in interest. The director of prisons shall annually file an estimate, at the same time and in the same manner as

estimates for the maintenance of the institutions under his control are required to be filed, calling for an appropriation to carry out the provisions of this act, including the necessary services of supervision. Expenditures from the appropriation shall be made upon schedules, with vouchers, approved by the superintendent and the director of prisons; but the expenditures in any year shall not exceed the amount of the receipts during that year from the employment of prisoners as aforesaid; and if in any year the said receipts exceed the expenditures, the excess shall be transferred and applied toward the maintenance of the prison camp and hospital. [*Acts, 1913, c. 653, § 2, as am. by Acts, 1914, c. 180, by Gen. Acts, 1915, c. 177, and by Gen. Acts, 1917, c. 129.*]

1361B. Establishment of county industrial farms. — (a) *County commissioners may purchase and lease land for such farms, etc.* — The county commissioners of any county may, subject to the approval of the director of prisons, purchase, take by right of eminent domain, or lease, in behalf of the county, a tract of land not exceeding five hundred acres in area for use as a county industrial farm, and may reclaim, cultivate and improve the same. The work of reclaiming, cultivating and improving the said land, shall, so far as is practicable, be done by prisoners transferred thereto as hereinafter provided. If the land is taken by right of eminent domain, said commissioners shall file in the registry of deeds of the district in which the land is situated a plan and description thereof sufficiently specific for identification, whereupon the title thereto shall vest in the county in fee: *provided*, that no land, right or interest therein, which has been registered under the provisions of R. L., c. 128, shall be deemed to have been taken until a description thereof has been filed in accordance with the provisions of § 89 of said chapter. If said commissioners cannot agree with the owner of land thus taken as to his compensation, he shall have the remedy now provided in the case of land taken for highways. At any time after said land has been reclaimed, cultivated and improved, the same may be sold if the county commissioners determine that it is for the best interest of the county. [*Gen. Acts, 1917, c. 258, § 1.*]

(b) *The commissioners may erect necessary buildings thereon.* — Said commissioners may erect on said land such temporary buildings of inexpensive construction as they shall consider necessary for the proper housing of prisoners, and for other purposes in no case, however, costing over \$3,000. If the land which has been reclaimed, cultivated and improved, as aforesaid, shall be sold, the proceeds of the sale shall be placed in the treasury of the county and shall be used, so far as is possible, for the payment of loans made as hereinafter provided. Any surplus thereof shall be used for general county purposes. No building used for housing the prisoners shall be constructed until the director of prisons has approved the plans therefor. The commissioners may appoint, and at any time remove, a superintendent for said farm and such assistants as, in their opinion, are needed for its proper management. [*Gen. Acts, 1917, c. 258, § 2.*]

(c) *Provision for removal of prisoners to such farms.* — On the request of said commissioners, the sheriff of the county shall remove to said farm such prisoners, held on sentence in the jail or house of correction of the county, as, in his opinion, can advantageously be employed thereon in carrying out the purposes and provisions of this act and when so removed they shall be so employed, but shall be at all times in the custody of the sheriff and his officers. On the order of said commissioners, the sheriff shall return any prisoner to the jail or house of correction from which he was taken. [*Gen. Acts, 1917, c. 258, § 3.*]

(d) *County commissioners may borrow money for such purposes.* — To meet the

expenses incurred under the provisions of this act, the county commissioners are hereby authorized to borrow from time to time, upon the credit of the county, such sums as may be needed, and to issue bonds or notes therefor, which shall bear on their face the words, County of _____, Industrial Farm Loan, Act of 1917,

and shall be payable by such annual payments, beginning not more than one year after the dates thereof, as will extinguish each loan within _____

years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each issue of bonds or notes shall constitute a separate loan. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes above specified. [*Gen. Acts, 1917, c. 258, § 4.*]

(e) *Such expenses to be borne as part of the county tax.* — The county commissioners, at the time of authorizing each loan, shall provide for the payment thereof in accordance with the provisions of § 4, and a sum sufficient to pay the interest as it accrues and to make such payments on the principal as may be required under said provisions, shall be levied annually thereafter as a part of the county tax of the county in the same manner as other county taxes, until the debt incurred by said loan or loans is extinguished. [*Gen. Acts, 1917, c. 258, § 5.*]

18. LEGAL HOLIDAYS.

1362. January 1, a legal holiday — referendum. — The words "legal holiday" shall include *the first day of January*, the twenty-second day of February, the nineteenth day of April, the thirtieth day of May, the fourth day of July, the first Monday of September, the twelfth day of October, Thanksgiving day and Christmas day, or the day following when any of the *five* days first mentioned, the twelfth day of October or Christmas day occurs on Sunday; and the public offices shall be closed on all of said days. [*R. L., c. 8, § 5, clause 9, as last am. by Acts, 1911, c. 136, and by Gen. Acts, 1916, c. 104, § 1.*]

1362A. The provision relative to making January first a legal holiday to be referred to voters. — This act shall be referred to the people for their rejection or approval at the polls, and shall be voted on at the next annual state election, and shall become law if approved by a majority of the voters voting thereon. The act shall be referred in the form of the following question to be placed upon the official ballot: "Shall an act passed by the General Court in the year 1916, to make the first day of January, known as New Year's Day, a legal holiday, be approved and become law?" [*Gen. Acts, 1916, c. 104, § 2.*]

YES.	
NO.	

19. SUNDAY LABOR AND WEEKLY DAY OF REST.

SUNDAY LABOR.

1370A. Cultivation of land and transportation of farm products permitted.

— The cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products on the Lord's day shall not be unlawful, during the existence of war, and until the first day of January following the termination thereof, between the United States and any other nation. [*Gen. Acts, 1917, c. 207, § 1.*]

20. HOUSING OF WORKING PEOPLE.¹

1390A. Powers and duties of planning boards may be enlarged. — A town planning board may, if so authorized by vote of the town, act as park commissioners therein, and may be vested with all the powers and duties now or hereafter by law vested in the park commissioners of towns. [*Gen. Acts, 1915, c. 165.*]

1391A. Public lodging houses in certain cities. — In cities of over fifty thousand inhabitants every building not licensed as an inn, in which ten or more persons are lodged for a price of twenty-five cents or less for each person for a day of twenty-four hours, or for any part thereof, shall be deemed a public lodging house within the meaning of this act. *No building or part thereof hereafter erected, altered or converted to be used as such a public lodging house shall have the sleeping compartments arranged on the cubicle plan.* [*Acts, 1904, c. 242, § 1, as affected by Acts, 1911, c. 129, and as am. by Gen. Acts, 1915, c. 160.*]

1396A. Relieving congestion of population and providing homes for citizens. — *Resolved*, That the following article of amendment to the constitution, having been agreed to by the last and present general court and published in the manner required by the constitution, be submitted to the people for their ratification and adoption: —

ARTICLE OF AMENDMENT.

The general court shall have power to authorize the commonwealth to take land and to hold, improve, subdivide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: *provided, however*, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Resolved, That the people shall be assembled for the purpose aforesaid, in their respective polling places in the several cities and towns in meetings to be legally warned, and held on Tuesday, the second day of November next, at which meetings all persons qualified to vote for state officers may give in their votes by ballot for or against said article of amendment; and the same officers shall preside in said meetings as in meetings for the choice of state officers, and shall, in open meetings receive, sort, count and declare the votes for and against the said article of amendment; and the said votes shall be recorded by the clerks of said cities and towns, and true returns thereof shall be made out under the hands of the mayor and aldermen or board having the powers of aldermen, and of the selectmen, or a major part of them, and of the clerks of the said cities and towns, respectively, and sealed up, and, within ten days

¹ See also under Homestead Commission, pp. 13 and 14.

after the said meetings, transmitted to the secretary of the commonwealth. So far as the same can be made applicable, the provisions of law applicable to the election of state officers shall apply to the taking of the vote on said article of amendment.

Resolved, That every person qualified to vote as aforesaid may express his opinion on said article of amendment, and the following words shall be printed on the ballot: — Shall the proposed amendment to the constitution, empowering the general court to authorize the taking of land to relieve congestion of population and to provide homes for citizens be approved and ratified?

YES.	
NO.	

And if said article shall appear to be approved by a majority of the persons voting thereon, it shall be deemed and taken to be ratified and adopted by the people.

Resolved, That his excellency the governor and the council shall forthwith open and examine the votes returned as aforesaid; and if it shall appear that said article of amendment has been approved by a majority of the persons voting thereon, according to the votes returned and certified as aforesaid, the same shall be enrolled on parchment and deposited in the secretary's office as a part of the constitution of the commonwealth, and shall be published in immediate connection therewith, numbered according to its numerical position, with the articles of amendment of the constitution heretofore adopted, in all future editions of the laws of the commonwealth printed by public authority.

Resolved, That his excellency the governor is hereby authorized and requested to issue his proclamation forthwith after the examination of the votes returned as aforesaid, reciting said article of amendment and announcing that the article has duly been adopted and ratified by the people of the commonwealth, and thus becomes a part of the constitution thereof, and requiring all magistrates and officers and all citizens of the commonwealth to take notice thereof and govern themselves accordingly, or that said article of amendment has been rejected, as the case may be. [*Res. 1915, c. 129.*]

21. MISCELLANEOUS.

1411. Special commission to study and report on social insurance. —

Resolved, That a special commission, to be composed of two members of the senate to be appointed by the president, four members of the house of representatives to be appointed by the speaker, and three other persons to be appointed by the governor, shall sit during the recess of the general court, and shall be known as the Commission on Social Insurance. It shall be the duty of the said commission to study the effects of sickness, unemployment and old age in Massachusetts, to collect facts as to actual experience with the several forms of insurance therefor, and to recommend to the general court such legislation as it may deem practical and expedient to protect the wage-earners of the commonwealth from the burdens of sickness, unemployment and old age or any one or more of these. The state department of health and the bureau of statistics are authorized and directed to co-operate with the commission in every way feasible in carrying out the purpose of this resolve, and in case either or both of said departments shall undertake investigations deemed necessary by the commission, they shall be allowed for their necessary expenses, outside their regular appropriations, such sums as shall be approved by the governor and council.

The commission shall report to the next general court with drafts of such laws as it may recommend, and it shall file its report with the clerk of the senate or with the clerk of the house not later than the first Wednesday in January.

The commission shall have a room in the statehouse assigned for its use, shall give such public hearings as it may deem necessary, may employ such assistance, clerical or otherwise, as it may require, and shall receive such sums for clerical assistance, travel and other expenses, and for the compensation of its members as shall be allowed by the governor and council. [*Res.*, 1916, c. 157.]

1413. Appointment of a special commission on social insurance. — *Resolved*, That a special commission to be known as the Commission on Social Insurance, composed of three members of the senate to be appointed by the president, six members of the house of representatives to be appointed by the speaker, and two other members to be appointed by the governor, shall sit during the recess of the general court for the purpose of further investigating the extent to which poverty occasioned by sickness may be alleviated, medical care for wage earners and others of limited means may be provided, and measures to prevent disease may be promoted, by insurance. The commission shall undertake such investigations as to the health of wage earners and the conditions under which they work, and as to existing systems of mutual, stock, fraternal, state, and other forms of insurance in this commonwealth and elsewhere as may be necessary to provide a sound basis for its recommendations, and shall submit a report, including drafts of any legislation which it may recommend to the next general court, not later than the fifteenth day of January. The state department of health, the bureau of statistics, and the insurance department are hereby directed to co-operate with the commission and render such assistance as is compatible with the proper discharge of their respective duties. The commission shall have power to elect a chairman, secretary and other officers, to appoint sub-committees, and to employ assistance, clerical, expert or otherwise, as may be necessary. The commission shall have a room in the state house assigned for its use, and shall hold such public hearings as it may deem necessary with the same powers to summon and examine witnesses as are conferred upon city councils and other bodies by the provisions of R. L., c. 175, §§ 8 and 9. The commission shall receive such sums for assistance, travel and other expenses, and for the compensation of its members, as shall be allowed by the governor and council. [*Res.*, 1917, c. 130.]

1414. Massachusetts Bureau of Immigration established. — *a. Appointment and organization.* — The Massachusetts Bureau of Immigration is hereby established to consist of five persons, to be appointed by the governor with the advice and consent of the council, for terms of one, two, three, four and five years, respectively, from June 1, 1917, as the governor may specify. One member shall be a woman, and at least two members shall by nativity or descent be of the races most largely represented in the immigration to Massachusetts during the ten years preceding their appointment. Thereafter, as the term of any member expires, the governor shall annually appoint, in like manner, one member for the term of five years. He shall fill any vacancy for the unexpired term, and may remove any member for cause with the approval of the council. The governor shall designate one member to serve as chairman who may be known as the director of immigration. All of the members shall serve without compensation, but they shall be reimbursed for expenses necessarily incurred in the performance of their duties, and they shall be furnished with suitable quarters in the state house. The bureau may appoint an executive secretary, clerks and other assistants, and may pay them such salaries and may incur such other expenses, including travelling expenses, not exceeding such sums as may be appropriated therefor by the general court, as it may deem necessary and proper, subject, however, to the approval of the governor and council. [*Gen. Acts*, 1917, c. 321, § 1.]

b. Duties and powers of the bureau. — It shall be the duty of the bureau to employ such methods, subject to existing laws, as, in its judgment, will tend to bring into sympathetic and mutually helpful relations the commonwealth and its residents of foreign origin, to protect immigrants from exploitation and abuse, to stimulate their acquisition and mastery of the English language, to develop their understanding of American government, institutions and ideals, and generally to promote their assimilation and naturalization. For the above purposes, the bureau shall have authority to co-operate with other officers, boards, bureaus, commissions and departments of the commonwealth, and with all public agencies, federal, state or municipal. It shall have authority to investigate the exploitation or abuse of immigrants, and in making any investigation it may require the attendance of witnesses and the production of books and documents relating to the matter under investigation. [*Gen. Acts, 1917, c. 321, § 2.*]

c. Appropriation for the fiscal year. — The commission is hereby authorized to expend for the purposes of this act during the current fiscal year a sum not exceeding \$10,000. [*Acts, 1917, c. 321, § 3.*]

1417. Special commission on social insurance also to investigate and report on hours of labor in certain industries. — *Resolved*, That the special recess commission on social insurance established by Resolves, 1916, c. 157, in addition to the matters already referred to said commission, shall study and investigate the subject of reasonable restrictions in the hours of labor in industries operated continuously for twenty-four hours, and shall include in its report to the next general court such recommendations, with drafts of proposed legislation, as it may deem practical and expedient. All the provisions of said chapter shall, so far as pertinent, apply to the investigation herein authorized [*Res., 1916, c. 164.*]

II.

INDEX TO BILLS AFFECTING LABOR INTRODUCED DURING
THE LEGISLATIVE SESSION OF 1917.

ABBREVIATIONS.

General. Ac., Accepted; Adop., Adopted; Am., Amended; Eng., Engrossed; G., General Acts; H., House; H. B., House Bill; L. W., Leave to Withdraw; N. D., New Draft; N. G. C., Next General Court; N. L., No Legislation Necessary; N. P., Ought Not to Pass; O. P., Ought to Pass; P. D., Public Document; Rec., Re-committed; Recons., Reconsidered; Ref., Reference; Rej., Rejected; Rep., Reported; Rep. Ch., Reported Changed; Res., Resolve; S., Senate; S. B., Senate Bill; Sp., Special Act; Sp. Rep., Special Report; Sub., Substituted; T., Tabled; T. T., Taken from Table.

Committees. Ag., Agriculture; B. and B., Banks and Banking; B. 3d R., Bills in Third Reading; Cit., Cities; Coms., Consolidation of Commissions (Special); Cons. Am., Constitutional Amendments; Cos., Counties; Ed., Education; F. R., Federal Relations; F. and G., Fisheries and Game; H. B., 3d R., House Bills in Third Reading; H. W. and M., House Ways and Means; Ins., Insurance; J. J., Joint Judiciary; Jt. R., Joint Rules; Jt. W. and M., Joint Ways and Means; La., Labor; L. A., Legal Affairs; M. A., Military Affairs; M. F., Municipal Finance; Mer. Aff., Mercantile Affairs; Met. Aff., Metropolitan Affairs; P. H., Public Health; P. I., Public Institutions; P. L., Public Lighting; P. S., Public Service; R. and B., Roads and Bridges; R. R., Railroads; S. B. 3d R., Senate Bills in Third Reading; S. H. and L., State House and Libraries; Sp. Com., Special Committee; S. Rys., Street Railways; S. W., Social Welfare; S. W. and M., Senate Ways and Means; Tax., Taxation; Tns., Towns; W. and M., Ways and Means.

1. EMPLOYMENT OFFICES.

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
H. 334	Public employment offices, establishment and maintenance of.	L. A.	N. L.	Ac.	-
H. 576	State Bureau of Employment under direction of the State Board of Labor and Industries, establishment of.	L. A.	L. W.	Ac.	-
H. 1250	Control of public and private employment offices by the State Board of Labor and Industries.	L. A.	L. W.	Ac.	-
H. 1332	Intelligence offices, regulation of fees charged by.	L. A.	L. W.	Ac.	-

2. INDUSTRIAL SAFETY AND SANITATION.

a. Industrial Safety.					
S. 224	Safety in the operation of passenger elevator cars.	Mer. Aff.	L. W.	Ac.	-
S. 401	Opaque glass windows in workshops and factories (based on H. 832).	La.	Rep.	S. sub. S. 421	-
S. 421	Opaque glass windows in workshops and factories, investigation relative to the use of (substituted by S. for S. 401).	H. W. & M.	N. P.	Bill rej. by H.	-
S. 437	Construction of factories and other buildings (based on H. 678).	Mer. Aff.	Rep.	-	156 G.
H. 145	Construction and inspection of compressed air tanks used in operating pneumatic machinery (based on H. 140).	Mer. Aff.	N. L.	Ac.	-
H. 415	Safe installation and operation of refrigerating plants.	Mer. Aff.	N. G. C.	Ac.	-

2. INDUSTRIAL SAFETY AND SANITATION — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
a. Industrial Safety — Con.					
H. 505	Appointment of additional inspectors by the Industrial Accident Board.	P. S.	L. W.	Ac.	-
H. 678	Construction of factories and other buildings, .	Mer. Aff.	S. 437	-	-
H. 832	Opaque glass windows in workshops and factories.	La.	S. 401	-	-
H. 880	Safety devices on gas meters, investigation relative to.	P. L.	L. W.	Ac.	-
H. 895	Security for injuries to employees and others caused by vehicles.	R. & B.	N. G. C.	Ac.	-
H. 977	Procedure before the Industrial Accident Board.	J. J.	N. G. C.	Ac.	-
H. 995	Safety devices on elevators,	Mer. Aff.	L. W.	Ac.	-
H. 1259	Emergency tools on trains,	Ins.	Rep.	-	108 G.
H. 1333	Safety devices on tanks and boilers containing water heated under pressure.	Mer. Aff.	L. W.	Ac.	-
b. Industrial Sanitation.¹					
S. 81	Health and efficiency of firemen (based on H. 1273).	Cit.	Rep.	Rej. by S.	-
H. 313	Industrial work in tenements, regulated (based on H. 312).	S. W.	N. L.	Ac.	-
H. 315	Inspection force of the State Board of Labor and Industries (based on H. 312).	P. S.	N. G. C.	Ac.	-
H. 316	Receptacles for expectoration in factories and workshops (based on H. 312).	P. H.	N. L.	Ac.	-
H. 914	Street railway companies to heat front vestibules of cars.	S. Rys.	N. G. C.	Ac.	-
H. 1152	Lockers for certain hotel employees, . . .	La.	Rep.	Am. by S.	72 G.
H. 1203	Inspection of barber shops under the direction of the State Department of Health.	P. H.	L. W.	Ac.	-
H. 1273	Health and efficiency of firemen,	Cit.	S. 81	-	-
H. 1408	Abolition of the Board of Labor and Industries,	Coms.	N. G. C.	Ac.	-
H. 2141	Authority to suspend operation of certain labor laws during period of the war to be granted to the State Board of Labor and Industries (based on H. 2053).	Jt. R. H. W. & M. H. B. 3d R.	Rep. Rep. H. 2151	- - -	- - -2

3. WOMEN AND CHILDREN.

a. School Attendance.					
S. 206	Continuation schools for employed minors under 16 years of age.	Ed.	S. 487	-	-
S. 487	Continuation schools for employed minors under 16 years of age (based on S. 206, H. 1437).	Ed. W. & M.	Rep. Rep.	- Rej. by S.	- -
H. 28	Issuance of employment certificates to children under 16 years of age.	Ed.	L. W.	Ac.	-
H. 29	Payment by towns for transportation of pupils to outside vocational schools.	Ed.	N. G. C.	Ac.	-
H. 1114	School attendance and employment of minors,	Ed.	L. W.	Ac.	-
H. 1437	Attendance of certain minors at continuation schools.	Ed.	S. 487	-	-

¹ See also S. B. 430, H. B. 1468, H. B. 1538, relative to an investigation into the hours and conditions of labor of hotel employees under *Hours of Labor in Private Employment*, p. 118.

² Gen. Acts, 1917, c. 342, § 24 provides for the appointment by the State Board of Labor and Industries of a committee known as the "War Emergency Industrial Commission" which should consider and act upon petitions for the suspension of the labor laws. (See paragraph 29B on p. 11).

3. WOMEN AND CHILDREN — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	b. Employment of Women and Children.				
H. 317	Employment of minors in bowling allies, theatres and motion picture houses, regulated (based on H. 312).	S. W.	Rep. Ch.	Rej. by H.	-
H. 1072	Employment of women at metal polishing or buffing prohibited.	S. W.	L. W.	Ac.	-
H. 1239	Employment of women in core rooms, repeal of law relative to.	S. W.	L. W.	Ac.	-
H. 1518	Age limit for employment of minors in certain industries, raised.	S. W.	L. W.	Ac.	-
	c. Wages and Hours of Women and Children.¹				
S. 197 ²	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. H. 2080	-
H. 88	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 89	Night employment of women and minors, . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 90	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 314	Meal hours of women and young persons employed in factories (based on H. 312).	S. W.	L. W.	Ac.	-
H. 321	Records of hours of employment of women and minors (based on H. 319).	S. W.	N. L.	Ac.	-
H. 612	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 746	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 907	Meal hours for women and minors employed in factories.	S. W.	Rep.	Ac.	110 G.
H. 910	Employment of girls in telephone exchanges until 11 P.M.	S. W. Recons.	Rep. Rep.	- -	- 294 G.
H. 1235	Hours of labor of women and children, . . .	S. W.	N. G. C.	H. sub. S. 197 Am.	-
H. 1446	Commission to investigate the matter of federal regulation of wages of women and minors.	F. R.	L. W.	Ac.	-
H. 2080	Hours of labor of women and children (based on S. 197).	-	-	Sub. by H. for S. 197. Rej. by S.	-

4. WAGES AND HOURS OF LABOR IN PRIVATE EMPLOYMENT.³

	a. Wages.³				
S. 63	Certain qualifications for members of Wage Boards, established (based on S. 307, H. 1517).	S. W. Recons.	Rep. Ch. S. 533	- -	- -
S. 91	Law creating the Minimum Wage Commission, repeal of.	S. W.	N. G. C.	Ac.	-
S. 166	Liens for labor or materials,	J. J.	L. W.	S. sub. bill for L. W.	213 G.
S. 307	Powers and jurisdiction of the Minimum Wage Commission.	S. W.	S. 63 Ch.	-	-
S. 533	Certain qualifications for members of Minimum Wage Boards, established (new draft of S. 63).	S. W.	O. P.	Bill rej. by H.	-
H. 53	Imposition of fines for poor work or tardiness, prohibited.	L. a. Recons.	L. W. H. 1846	- -	- -
H. 320	Recommendations of the Minimum Wage Commission, enforcement of (based on H. 319).	S. W.	N. L.	Ac.	-
H. 322	Filling vacancies on Minimum Wage Boards (based on H. 319).	S. W.	N. L.	Ac.	-

¹ For bills relative to wages of scrubwomen and washerwomen in public employment, see under *Public Employment*, p. 127.² Substituted by House for House Bills Nos. 88, 89, 90, 612, 746 and 1235.³ See also under *Wages and Hours of Women and Children*, above, and *Public Employment*, p. 126.

4. WAGES AND HOURS OF LABOR IN PRIVATE EMPLOYMENT — *Continued.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
a. Wages — Con.					
H. 323	Posting of information relative to minimum wages in places of employment (based on H. 319).	S. W.	N. L.	Ac.	-
H. 484	Pleadings and proof in suits to recover for work done, etc.	J. J.	H. 1844	-	-
H. 621	Records of the Minimum Wage Commission to be public records.	L. A.	L. W.	Ac.	-
H. 675	Assignment of wages,	L. A.	L. W.	Ac.	-
H. 744	Recommendations of the Minimum Wage Commission, enforcement of.	S. W.	L. W.	Ac.	-
H. 831	Specifications to be furnished to weavers in cotton mills.	La.	N. G. C.	Ac.	-
H. 833	Weekly payment of wages to hotel employees,	La.	Rep.	Rej. by H.	-
H. 836	Fees, gifts, and gratuities received by hotel and restaurant employees.	L. A.	L. W.	Ac.	-
H. 969	Regulation of employment by and expenditures of public service corporations.	J. J.	L. W.	Ac.	-
H. 1265	Officers, trustees, and employees of savings banks not to receive fees.	B. & B.	N. G. C.	Ac.	-
H. 1517	Reports of Wage Boards to the Minimum Wage Commission.	S. W.	S. 63 Ch.	-	-
H. 1844	Pleadings and proof in suits to recover for work done, etc. (based on H. 484).	J. J.	Rep.	-	194, G.
H. 1846	Imposition of fines for poor work or tardiness, prohibited.	La.	Rep.	H. sub. H. 1883	-
		-	-	H. sub. bill for H. 1883	-
H. 1883	Deductions from wages because of tardiness, .	H. B. 3d R.	Rep. Ch.	N. G. C.	-
		-	-	Sub. by H. for H. 1846	-
		-	-	H. sub. H. 1846	-
b. Hours of Labor. ¹					
S. 49	Hours of labor in continuous industries,	La.	L. W.	Ac.	-
H. 430	Investigation into hours and conditions of labor of hotel employees (based on H. 573). ²	-	-	-	-
S. 441	Hours of labor in continuous industries (based on S. 1).	La.	Rep.	Rej. by S.	-
S. 482	Uniform (Federal) eight hour law (based on H. 1289).	S. B. 3d R.	Rep.	Adop. ⁴	-
H. 337	National law regulating the employment of labor.	F. R.	H. 1121	-	-
H. 369	Hours of labor of certain employees in paper mills.	S. W.	L. W.	H. sub. bill for L. W.	-
		Conf. Com.	Rep.	Am. by H.	-
H. 654	National law regulating the employment of labor.	F. R.	H. 1121	Rej. by H.	-
H. 671	Hours of labor not to exceed 54 in any one week,	La.	L. W.	Ac.	-
H. 1121	Amendment to Constitution to empower Congress to regulate the hours of labor (based on H. 337, H. 654).	F. R.	Rep.	Adop. ⁴	-
H. 1289	Uniform (Federal) eight hour law,	F. R.	Rep.	-	-
		S. B. 3d R.	N. D. S. 482	S. sub. S. 482	-
H. 1468	Investigation of methods of employment of hotel and restaurant workers. ³	La.	L. W.	Ac.	-
H. 1538	Report of the State Board of Labor and Industries relative to the investigation of prevailing conditions in hotels and restaurants. ³	La.	N. L.	Ac.	-

¹ See also under *Women and Children*, p. 117, and *Public Employment*, p. 126.² For H. 51 and H. 573 providing one day off in seven for employees in hotels and restaurants, see under *Sunday Labor and Weekly Day of Rest*, p. 129.³ Moved to be substituted for H. 573, see under *Sunday Labor and Weekly Day of Rest*, p. 129.⁴ Resolution.

5. WORKMEN'S COMPENSATION AND INDUSTRIAL INSURANCE.

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	a. Workmen's Compensation.				
S. 135	Medical services in industrial accident cases (based on H. 45, H. 570, H. 663).	J. J.	Rep. Ch.	-	198 G.
S. 370	Report of the joint special recess committee on workmen's compensation insurance rates and accident prevention.	J. J.	Rep.	S. sub. S. 565	-
S. 538	Payments under the Workmen's Compensation Act.	J. J.	Rep.	-	269 G.
S. 564	Transaction of workmen's compensation insurance and self-insurance.	-	-	Sub. by S. for S. 370 in part and H. 50 ¹	-
S. 565	Constitutional amendment to provide for compulsory compensation to workmen.	S. W. & M. -	N. G. C. -	Sub. by S. for S. 370 in part and H. 50 ¹	-
H. 45	Selection of physician by injured employees, .	J. J.	S. 135 Ch.	-	-
H. 46	Compensation from date of injury, . . .	J. J.	L. W.	Ac.	-
H. 47	Increase of maximum compensation, . . .	J. J.	L. W.	Bill Ch. sub. for L. W.	-
		H. B. 3d R.	N. D. H. 1994	S. sub. H. 1994 for bill	-
H. 48	Increase of maximum and minimum weekly compensation to employees totally incapacitated.	J. J.	L. W.	Ac.	-
H. 49	Compensation after seven days, . . .	J. J.	L. W.	Bill Ch. sub. for L. W. Bill rej. by S.	-
H. 119	Authority of Insurance Commissioner in approving rates extended (based on H. 117).	J. J.	N. G. C.	Ac.	-
H. 206	Legislation recommended by the Industrial Accident Board (3 bills).	J. J.	H. 2079	-	-
H. 289	Payments to prisoners injured in performance of duties (based on H. 287).	J. J.	N. L.	Ac.	-
H. 350	Compensation from date of injury, . . .	J. J.	L. W.	Ac.	-
H. 412	Payment of lump sums under the Workmen's Compensation Act (sub. by S. for L. W. on H. 966).	J. J.	L. W.	Ac.	-
H. 413	Time at which compensation shall begin, .	J. J.	L. W.	Ac.	-
H. 485	Compensation of arbitrators, how paid, .	J. J.	L. W.	Ac.	-
H. 486	Medical and hospital services for injured persons.	J. J.	L. W.	Ac.	-
H. 568	Compensation from date of injury, . . .	J. J.	L. W.	Ac.	-
H. 569	Compensation from date of injury, . . .	J. J.	L. W.	Ac.	-
H. 570	Selection of physician by injured employees, .	J. J.	S. 135 Ch.	-	-
H. 661	Defence of assumption of risk in actions under the Workmen's Compensation Act to be excluded.	J. J.	L. W.	Ac.	-
H. 662	Time at which compensation shall begin, .	J. J.	L. W.	Ac.	-
H. 663	Selection of physician by injured employees, .	J. J.	S. 135 Ch.	-	-
H. 747	Commission to report a plan for extending the Workmen's Compensation Act to cover health insurance.	S. W.	S. 543 ²	-	-
H. 830	Amount of compensation during total incapacity.	J. J.	L. W.	Ac.	-
H. 966	Payments of lump sums under the Workmen's Compensation Act.	J. J.	S. W.	S. sub. H. 412 for L. W. Rej. by S.	-

¹ See under *Industrial Insurance*, p. 120.² See under *Pensions and Retirement Systems*, (a) *General*, p. 122.

5. WORKMEN'S COMPENSATION AND INDUSTRIAL INSURANCE — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
a. Workmen's Compensation — Con.					
H. 1146	Extra-territorial effect to be given to the Workmen's Compensation Act.	J. J.	L. W.	Ac.	-
H. 1304	Recovery of damages by employees injured in the course of their employment.	J. J.	L. W.	Ac.	-
H. 1366	Members of Industrial Accident Board to devote their whole time to the duties of the Board.	P. S.	L. W.	Ac.	-
H. 1822	Compensation for State employees injured in the course of their employment.	J. J.	L. W.	Ac.	-
H. 1994	Increase of maximum compensation (based on H. 47).	H. B. 3d R.	Rep.	Am. by S.	249 G.
H. 2079	Prevention of delay in settlement of claims on account of personal injuries.	J. J. W. & M.	Rep. O. P.	- Am. by H.	- 297 G.
b. Industrial Insurance.					
S. 102	Provision for fair and reasonable health and accident insurance contracts.	Ins.	L. W.	Ac.	-
H. 50	Liability insurance companies not to become subscribers to the Massachusetts Employees Insurance Association (based on S. 370).	J. J.	Rep.	S. sub. S. 564	-
H. 118	Increase of reserve of liability companies for outstanding losses.	Ins.	Rep.	-	10 G.
H. 410	Extension of rights of mutual liability insurance companies.	Ins.	H. 1773	-	-
H. 659	Reinsurance in unauthorized companies.	Ins.	H. 1776	-	-
H. 821	Protection of holders of industrial insurance.	Ins.	L. W.	Ac.	-
H. 963	Applicants for industrial insurance to be exempt from medical examination.	Ins.	L. W.	Ac.	-
H. 973	All employers to provide insurance for the protection of their employees.	J. J.	N. G. C.	Ac.	-
H. 1134	Reciprocal or inter-insurance contracts and exchanges to be authorized.	Ins.	L. W.	- ¹	-
H. 1773	Extension of powers of mutual liability insurance companies (based on H. 410).	Ins. Recons.	Rep. Rep.	Rej. by S.	-
H. 1776	Reinsurance in unauthorized companies.	Ins.	Rep.	-	191 G. 132 G.
H. 1816	Reciprocal or inter-insurance contracts and exchanges to be authorized (based on H. 1134).	Ins. Recons.	Rep. N. G. C.	- Ac.	- -
H. 1849	Reciprocal or inter-insurance contracts to be authorized.	-	-	- ¹	-

6. PENSION AND RETIREMENT SYSTEMS FOR PUBLIC EMPLOYEES.

a. Employees of the Commonwealth.²					
S. 236	Retirement of veterans of the Civil War.	P. S.	H. 2051	-	-
H. 298	Considerations other than money to be deemed a part of salaries or wages for the purpose of making deductions under the retirement system.	P. S. W. & M.	Rep. O. P.	- -	Res. 106
H. 2051	Retirement of veterans of the Civil War (based on S. 236).	P. S. H. W. & M.	Rep. N. P.	- -	- -
b. Employees of Cities and Towns.²					
1. <i>Public School Teachers.</i>					
S. 462	Amendments to the Teachers' Retirement Act (based on H. 780).	S. W. W. & M.	Rep. O. P. Ch.	- -	- 233 G.
S. 508	Pension and annuity funds for public school teachers in Boston to be exempt from taxation.	Tax.	Rep.	-	327 S.

¹ H. 1849 moved to be substituted for report L. W. on H. 1134.² See also H. 613 and H. 1830 under *Miscellaneous*, pp. 121 and 122.

6. PENSION AND RETIREMENT SYSTEMS FOR PUBLIC EMPLOYEES — *Continued.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	b. Employees of Cities and Towns — Con.				
	1. <i>Public School Teachers</i> — Con.				
H. 780	Amendments to the Teachers' Retirement Act,	S. W.	S. 462	-	-
H. 820	Payment of retirement allowances to members of the Teachers' Retirement Association.	Ed. H. W. & M.	Rep. N. P.	- Bill rej. by H.	- -
	2. <i>Janitors and Attendance Officers.</i>				
H. 92	Retirement of public school attendance officers,	S. W. H. W. & M.	Rep. N. P.	- Bill rej. by H.	- -
H. 93	Retirement of janitors in schools in cities and towns.	S. W.	N. G. C.	Ac.	-
H. 515	Pensions for janitors of schools and public buildings in Springfield.	S. W.	N. G. C.	Ac.	-
H. 516	Pensions for janitors of schools and public buildings.	S. W.	N. G. C.	Ac.	-
H. 1237	Rate of pension for janitors of public schools in Boston.	S. W.	Rep.	-	146 S.
H. 1520	Retirement of janitors and custodians of public school buildings.	S. W.	L. W.	Ac.	-
	3. <i>Firemen and Policemen.</i>				
S. 350	Annual payment to the Massachusetts State Firemen's Association (based on H. 462).	S. B. 3d R.	Rep.	-	121 S.
S. 551	Income from annuities paid on account of service in a police or fire department to be ex- empt from taxation.	-	-	Sub. by H. for H. 1830 ¹	-
H. 462	Annual payment to the Massachusetts State Firemen's Association.	H. B. 3d R. Jt. W. & M.	Rep. Rep.	-	270 G.
H. 911	Retirement of members of the police depart- ment in Newton.	S. B. 3d R.	N. D. S. 350	-	-
H. 912	Retirement of members of the fire department in Newton.	S. W.	Rep.	-	139 S.
H. 1389	Retirement of members of the fire department in Newton.	S. W.	Rep.	-	138 S.
H. 1515	Establishment of pension funds for disabled and superannuated members of fire depart- ments.	S. W.	L. W.	Ac.	-
	4. <i>Foremen and Laborers.</i>				
H. 91	Retirement fund for laborers employed by the city of Fall River.	S. W.	L. W.	Ac.	-
H. 1069	Pensions for foremen and laborers employed by cities and towns.	S. W.	L. W.	Ac.	-
H. 1390	Time of payment of pensions on account of laborers formerly employed by the city of Boston.	S. W.	L. W.	Ac.	-
	5. <i>Other Municipal Employees.</i>				
H. 908	Pensions for matrons of the House of Detention in Boston.	S. W.	H. 1721	-	-
H. 1394	Pensions for employees of the Suffolk School for Boys in Boston.	S. W.	N. G. C.	Ac.	-
H. 1521	Pensions for employees of cities and towns,	S. W.	L. W.	Ac.	-
H. 1669	Pensions for certain employees of the city of Everett (based on S. 205).	Cit.	Rep.	-	185 S.
H. 1721	Pensions for matrons of the House of Detention in Boston (based on H. 908).	S. W.	Rep.	-	214 S.
	6. <i>Miscellaneous.</i>				
S. 24	Pensions for laborers in the service of the Metro- politan Water and Sewerage Board and the Metropolitan Park Commission.	S. W.	Rep.	Bill rej. by S.	-
H. 613	General repeal, with certain exceptions, of all pension acts affecting public employees.	S. W.	L. W.	Ac.	-

¹ See under *Miscellaneous*, p. 122.

6. PENSION AND RETIREMENT SYSTEMS FOR PUBLIC EMPLOYEES — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	b. Employees of Cities and Towns — Con.				
	6. <i>Miscellaneous</i> — Con.				
H. 720	Retirement of civil war veterans from the service of counties.	P. S. Cos.	Rep. O. P.	-	-
H. 1830	Income from annuities received from the Commonwealth, counties, cities, or towns to be exempt from taxation.	S. W. & M. Tax.	Rep. Rep.	Rej. by S. H. sub. S. 551	-

7. SOCIAL INSURANCE.

	a. General.				
S. 543	Appointment of a Special Commission on Social Insurance (based on S. 1, S. 308, H. 747, H. 1074, H. 1850).	S. W. S. W. & M. Jt. R. H. W. & M.	Rep. Rep. Rep. O. P.	-	-
S. 544	Statement of the Committee on Social Welfare relative to its report on the subject of Social Insurance.	-	-	-1	Res. 130
H. 1850	Report of the Special Commission on Social Insurance. (See S. 543.)	S. W.	N. G. C.	Ac.	-
H. 1985	Additional copies of the report of the Commission on Social Insurance to be printed and bound.	Jt. W. & M.	Rep.	Rej. by S.	-
	b. Old Age Pensions.				
S. 210	Investigations of old age pensions by the Congress of the United States.	F. R.	L. W.	Ac.	-
S. 280	Provision for a comprehensive system of old age pensions.	S. W.	N. G. C.	Ac.	-
S. 548	The Director of the Bureau of Statistics to collect certain data regarding old age pensions (based on S. 1).	S. W. S. W. & M.	Rep. Rep.	-	-
S. 549	Statement of the Committee on Social Welfare relative to its report on the subject of old age pensions.	-	-	-2	-
H. 370	State pensions for persons above the age of 70 years.	S. W.	N. G. C.	Ac.	-
H. 513	Establishment of a general system of non-contributory old age pensions.	S. W.	N. G. C.	Ac.	-
H. 1743	Establishment of a State system of old age annuities in the department of the Insurance Commissioner.	S. W. H. W. & M. S. W. & M.	Rep. O. P. N. G. C.	-	-
	c. Health Insurance and Maternity Benefits.				
S. 308	Maternity benefits for the protection of mothers and children.	S. W.	S. 543	-	-
H. 747	Compensation to employees during illness, etc.,	S. W.	S. 543	-	-
H. 1074	Establishment of a system of compulsory health insurance.	S. W.	S. 543	-	-
	d. Pensions for the Needy Blind.				
S. 59	Provision of pensions for the needy blind,	S. W.	S. 515 ¹	-	-
S. 326	Report of the Supervisor of Administration Relative to the Advisability of Providing Pensions for the Needy Blind.	S. W.	S. 515 ¹	-	-
H. 318	Special outdoor aid to blind persons or their families.	S. W.	S. 515 ¹	-	-

¹ Printed by order of the Senate in connection with S. 543.² Printed by order of the Senate in connection with S. 548.³ See under *Education for the Handicapped*, p. 124.

8. CO-OPERATIVE ASSOCIATIONS.

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
S. 353	Codification of law relative to co-operative societies.	Mer. Aff.	N. L.	Ac.	-
H. 183	Taxation of credit unions (based on H. 178), . . .	Tax.	N. G. C.	Ac.	-
H. 411	Fraternal benefit societies authorized to pay death or annuity benefits upon the lives of certain children.	Ins.	Rep.	Am. by S.	128 G.
H. 562	Regulation of fraternal benefit societies, . . .	Ins.	Rep.	-	108 G.
H. 822	Payment of certain burial benefits to members of fraternal benefit societies.	Ins.	H. 1739	-	-
H. 844	Consolidation and amendment of statutes relative to the incorporation and management of co-operative associations.	Mer. Aff.	N. G. C.	Ac.	-
H. 938	Incorporation of the Massachusetts Credit Union Association.	B. & B. Recons.	L. W. Rep. Ch.	-	-
H. 1101	Supervision of credit unions,	B. & B.	L. W.	Ac.	281 S.
H. 1739	Payment of certain burial benefits to members of fraternal benefit societies (based on H. 822).	Ins.	Rep.	-	107 G.
H. 1783	Personal property of certain fraternal beneficiary societies, orders, and associations to be exempt from taxation.	Tax.	Rep. Ch.	-	204 G.

9. SMALL LOANS LAW.

S. 94	Incorporation and supervision of industrial banks.	B. & B.	L. W.	Ac.	-
H. 840	Making of small loans,	L. A.	L. W.	Ac.	-
H. 980	Rate of interest on small loans,	L. A.	N. G. C.	Ac.	-
H. 1266	Incorporation of a bank to loan on goods and chattels only.	B. & B.	L. W.	Ac.	-
H. 1320	Rate of interest on small loans,	L. A.	N. G. C.	Ac.	-
H. 1321	Rate of interest on small loans,	L. A.	N. G. C.	Ac.	-

10. INDUSTRIAL EDUCATION.

a. Agricultural Education.					
S. 207	Reimbursement of cities and towns maintaining agricultural schools or furnishing agricultural instruction.	Ed. W. & M.	Rep. O. P.	-	-
S. 362	Facilitating the work of the Essex County Agricultural School.	Ed. Cos.	Rep. O. P.	-	61 G.
S. 509	Special Commission on Agricultural Education to have more time to report.	S. W. & M. Jt. R.	Rep. O. P.	-	176 G.
H. 465	Encouragement of agriculture among children and youths.	H. W. & M. Ag.	Rep. O. P.	-	Res. 81.
H. 471	Establishment and maintenance of an independent agricultural school in Middlesex County.	H. W. & M. Ed.	Rep. N. P. N. G. C.	Ac.	-
H. 803	Further regulating the Bristol County Agricultural School.	Ed. H. W. & M. Cos.	Rep. O. P. H. 1833	-	-
H. 1651	Special commission on investigation of Agricultural education to have more time to report.	Rules W. & M. Cos.	Rep. O. P.	-	Res. 28.
H. 1833	Further regulating the Bristol County Agricultural School.	S. W. & M.	Rep. O. P.	Am. by H.	-
				-	247 G.

10. INDUSTRIAL EDUCATION — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
b. Education for the Handicapped.					
S. 85	Establishment of workshops and industrial homes for the blind.	S. W.	S. 515 ¹	-	-
S. 515	Investigation of the Massachusetts Commission for the blind (based on S. 59, S. 85, S. 326, H. 318). ¹	S. W. W. & M.	Rep. O. P. Ch.	- Am. by H. (See S. 570)	- Res. 125.
S. 570	Establishment of workshops and industrial homes for the blind (based on S. 85, S. 515).	-	Sub. for 515 in part	-	-
H. 398	Board of Education to have more time to report on matter of special training for injured persons.	W. & M. Ed.	O. P. Rep.	Rej. by H.	-
H. 1436	Instruction for cripples in trades and crafts.	W. & M.	O. P.	-	Res. 4.
H. 1516	Higher education of the blind.	Ed. H. W. & M.	Rep. N. G. C.	-	-
H. 1677	Provision for printing the report of the Board of Education on special training for injured persons.	S. W.	L. W.	Ac.	-
H. 1733	Special report of the Board of Education on training for injured persons.	Ed.	N. P.	Bill rej. by H.	-
H. 2021	Provision for training injured persons.	Ed. H. W. & M.	H. 2021 Rep. N. G. C.	- - -	- - -
c. Miscellaneous.					
S. 131	State-aided vocational education.	Ed. Recons.	N. G. C. L. W.	-	-
S. 365	Instruction of nurses, attendants, and patients in certain institutions (based on H. 386, H. 395).	Recons. P. I.	N. G. C. Rep.	-	50 G.
S. 427	Message from the Governor with reference to acceptance by the State of the Vocational Education Act of Congress.	Ed. H. W. & M.	Rep. N. D. H.	-	-
H. 33	Establishment of a State University.	Ed.	1871 L. W.	Ac.	-
H. 107	Authorizing the Trustees of the Lowell Textile School to grant certain degrees.	Ed.	Rep.	-	244 S.
H. 395	Instruction of nurses, attendants, and patients in certain institutions (based on H. 386).	P. I.	S. 365	-	-
H. 1434	Establishment of schools in county prisons.	Ed.	H. 1874	-	-
H. 1438	Training schools for prospective patrolmen and police officers in municipalities.	Ed.	L. W.	Ac.	-
H. 1871	Acceptance by the State of the Vocational Education Act of Congress (based on S. 427).	H. W. & M. S. W. & M.	G. P. Rep.	-	215 G.
H. 1874	Establishment of schools in county prisons, investigation relative to.	Ed. W. & M.	Rep. O. P.	-	Res. 59

11. LICENSED OCCUPATIONS.

a. Hawkers and Pedlars.					
H. 217	Coal and coke dealers to be licensed (based on H. 210).	Mer. Aff.	No report	-	-
H. 1000	Optional filing of bond by itinerant vendors instead of making special deposit.	Mer. Aff.	H. 1914	-	-
H. 1473	Purchase and sale of articles by junk dealers.	L. A.	Rep.	Am. by S.	130 G.
H. 1914	Optional filing of bond by itinerant vendors instead of making special deposit (based on H. 1000).	Mer. Aff.	Rep.	Am. by H. Am. by S.	237 G.
b. Chauffeurs.					
H. 740	Protection from careless operation of motor vehicles.	R. & B.	S. 413 ²	-	-
H. 508	Fees for registration of motor vehicles.	R. & B.	L. W.	Ac.	-

¹ See also under *Pensions for the Needy Blind*, p. 122.² Omitted, as not bearing specifically on the licensing of chauffeurs.

11. LICENSED OCCUPATIONS — *Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	b. Chauffeurs—Con.				
H. 509	Recovery of damages when not duly licensed,	J. J.	L. W.	Ac.	-
H. 739	Protection from careless operation of motor vehicles.	R. & B.	S. 413 ¹	-	-
	c. Miscellaneous.				
S. 107	Licensing of electricians further regulated,	Mer. Aff.	L. W.	Ac.	-
S. 519	Licensing of engineers and firemen further regulated.	Mer. Aff.	L. W.	Ac.	-
H. 590	Registration of nurses further regulated,	P. H.	L. W.	Ac.	-
H. 711	Regulation of examinations in plumbing,	P. H.	L. W.	Ac.	-
H. 1352	Creation of a State Board of Barber Examiners,	P. H.	L. W.	Ac.	-
H. 1491	Licensing of persons handling food for public consumption.	P. H.	L. W.	Ac.	-

12. PUBLIC EMPLOYMENT.

	a. Employees under Civil Service Law.²				
	1. General.				
H. 146	County employees and certain State and city employees.	P. S.	N. L.	Ac.	-
H. 397	Rules of the Civil Service Commission to be abolished.	P. S.	L. W.	Ac.	-
H. 604	Certain employees in the service of the several counties.	P. S.	L. W.	Ac.	-
H. 727	Powers and duties of the Civil Service Commission defined.	P. S.	L. W.	Ac.	-
H. 1221	Standardization of grades and compensation in the civil engineering service of the Commonwealth.	P. S.	N. G. C.	Ac.	-
H. 1765	Appointive positions in the several cities (based on S. 1).	P. S.	Rep.	Rej. by H.	-
	2. Firemen and Policemen.				
S. 79	Policemen and firemen who have served in the army or navy of the United States to be exempt from the provisions of the civil service law.	P. S.	L. W.	Ac.	-
S. 190	Firemen and policemen in the town of Natick,	P. S.	Rep.	S. 335	-
S. 271	Promotion of firemen in cities, without further examination.	P. S.	L. W.	Ac.	-
S. 272	Promotion of police officers in cities, without further examination.	P. S.	L. W.	Ac.	-
S. 276	Examinations for promotion in the fire department of the city of Boston to be similar to those for promotion in the police department.	P. S.	L. W.	Ac.	-
S. 335	Firemen and policemen in the town of Natick (based on S. 190).	P. S.	Rep.	-	11 S.
H. 1103	Drivers of patrol wagons and ambulances in the city of Cambridge.	Cit.	Rep.	-	135 S.
H. 1507	Certification of chauffeurs in the fire department of the city of Boston.	P. S.	L. W.	Ac.	-
	3. Laborers.				
S. 22	Laborers and others in the service of the town of Watertown.	P. S.	L. W.	Ac.	-

¹ Omitted, as not bearing specifically on the licensing of chauffeurs.² Unless otherwise stated the bills enumerated provide for the placing of the employees specified under the provisions of the Civil Service Law. Bills relative to heads of departments and other public officials employed on a salary basis have been omitted from this section.

12. PUBLIC EMPLOYMENT — *Continued.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	a. Employees under Civil Service Law — Con.				
	3. Laborers — Con.				
H. 80	Laborers and others employed by the Commission on Waterways and Public Lands.	P. S. Recons.	Rep. N. G. C.	-	-
H. 698	Transfer of certain laborers in the public service,	Met. Aff.	Rep. Ch.	Am. by S.	86 G.
H. 724	Uniformity of application of the civil service laws to certain employees of the Commonwealth.	P. S.	Rep.	Rej. by H.	-
	4. Public School Employees.				
H. 596	Janitors of certain school houses in the town of Methuen.	P. S.	L. W.	Ac.	-
H. 1216	Janitors of public schools in the town of Arlington.	P. S.	Rep. Ch.	-	268 S.
H. 1368	Public school teachers,	P. S.	L. W.	Ac.	-
	5. Other Public Employees.				
S. 80	Public library employees to be exempt from provisions of the civil service law.	P. S.	L. W.	Ac.	-
S. 192	Caretakers of the public comfort station in the city of Lawrence.	P. S.	Rep. Ch.	-	312 S.
S. 277	Employees in the office of the Treasurer and Collector of Taxes in the city of Lawrence.	P. S.	L. W.	Ac.	-
S. 558	Removal, suspension, or transfer of employees of certain State penal institutions (based on H. 1373, H. 2007).	S. B. 3d R. H. W. & M.	Rep. Rep.	- -	- 280 G.
H. 887	Caretaker of public playgrounds in the city of Springfield.	P. I. P. S.	L. W. Rep. Ch.	Ac. -	- 255 S.
H. 888	Sanitary custodian in the city of Springfield, .	P. S.	Rep. Ch.	-	256 S.
H. 1362	Certain employees of the county of Essex, .	P. S.	H. 1989	-	-
H. 1989	Certain employees of the county of Essex (based on H. 1362).	P. S.	Rep.	Rej. by H.	-
	b. Wages and Salaries.				
	1. State Employees (General).				
H. 606	Employees receiving less than \$1,800 per annum (based on H. 78).	P. S.	H. 2016	-	-
H. 607	Additional compensation for State employees,	P. S. H. W. & M. W. & M.	Rep. Ch. O. P. Ch. N. G. C.	Am. by H. - -	- - -
H. 2016	Temporary increase in compensation of certain employees (based on H. 78, H. 606).	P. S. W. & M. Recons.	Rep. O. P. Rep.	Am. by S. -	- 323 G.
	2. Public Employees in Military or Naval Service.				
H. 72	State employees who served on the Mexican Border.	M. A. H. W. & M.	Rep. N. D. H. 1748	- -	- -
H. 1748	State employees who served on the Mexican Border (based on H. 72).	H. W. & M. Recons.	Rep. Rep.	Rej. by H. -	- -
H. 1960	Employees of cities and towns in military or naval service.	S. W. & M. Mil. Aff.	Rep. Rep. Ch.	- -	Res. 43 -
H. 2004	State employees in military or naval service, .	H. W. & M.	Rep.	H. sub. H. 2018	- -
H. 2018	Employees of cities and towns in military or naval service.	Mil. Aff. H. W. & M.	Rep. N. G. C.	Bill sub. for N. G. C.	- -
	3. Certain Employees at the State House.				
S. 120	Machinist in Sergeant-at-Arms' Department, .	P. S.	L. W.	Ac.	-
H. 430	Watchmen and assistant watchmen, . . .	P. S.	L. W.	Ac.	-

12. PUBLIC EMPLOYMENT — *Continued.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	b. Wages and Salaries — Con.				
H. 726	3. <i>Certain Employees at the State House</i> — Con. Chief engineers of watch,	P. S.	L. W.	Ac.	-
H. 729	Porters,	P. S.	L. W.	Ac.	-
H. 893	Electricians and assistant electricians, . . .	P. S.	L. W.	Ac.	-
H. 1047	Firemen,	P. S.	L. W.	Ac.	-
	4. <i>School Teachers and School Nurses.</i>				
H. 1280	Minimum salary for public school teachers, .	Ed.	H. 1974	-	-
H. 1281	Equal salaries for men and women teachers in the city of Boston.	Ed.	H. 1957	-	-
H. 1957	Equal salaries for men and women teachers in the city of Boston (based on H. 1281).	Ed.	Rep.	Am. by H. Rej. by S.	-
H. 1974	Minimum salary for public school teachers. (See H. 1280).	Ed.	Rep.	Rej. by S.	-
	5. <i>Laborers.</i>				
S. 20	Minimum wage for laborers employed by the Commission on Waterways and Public Lands,	P. S.	L. W.	Ac.	-
S. 21	Minimum wage for laborers employed by the Metropolitan Park Commission and the Met- ropolitan Water and Sewerage Board.	Met. Aff.	S. 540	-	-
H. 501	Minimum wage for laborers employed by cities and towns.	Cit.	L. W.	Ac.	-
H. 890	Minimum wage for laborers employed by cities and towns.	Cit.	L. W.	Ac.	-
	6. <i>Scrubwomen and Cleaners.</i>				
S. 279	Minimum weekly wage for scrubwomen, .	S. W.	L. W.	Ac.	-
H. 882	Prevailing wage for women doing cleaning, sweeping, etc., in public buildings.	P. S.	L. W.	Ac.	-
H. 1218	Minimum hourly wage for scrubwomen in pub- lic buildings.	P. S.	L. W.	Ac.	-
H. 1219	Minimum weekly wage for scrubwomen em- ployed in the Suffolk County Court House.	P. S. Cos. S. W. & M.	Rep. Ch. O. P. Rep.	- - -	- - 272 G.
H. 1371	Minimum hourly wage for washwomen in State service.	P. S.	L. W.	Ac.	-
	7. <i>Miscellaneous.</i>				
S. 75	Indemnification of members of fire depart- ments in certain cases.	L. A.	L. W.	Ac.	-
S. 274	Salaries and wages of certain employees in the Suffolk County Court House.	P. S.	L. W.	Ac.	-
S. 275	Salaries of certain employees in the House of Correction at Deer Isle.	P. S.	L. W.	Ac.	-
S. 540	Increased wages of employees of the Metropoli- tan Water and Sewerage Board (based on S. 21, H. 858, H. 1714).	Met. Aff. S. W. & M. H. W. & M.	Rep. Rep. N. P.	- - Ac.	- - -
H. 32	Tenure of office of teachers and superintend- ents, repeal of laws relative to.	Ed.	L. W.	Ac.	-
H. 294	Printing of lists of State employees with their compensation (based on H. 290).	Jt. Coms. W. & M.	Rep. Ch. O. P.	- -	- 217 G.
H. 697	Wages and hours of labor of certain employees of the Metropolitan Water and Sewerage Board.	Met. Aff.	N. G. C.	Ac.	-
H. 732	Time of payment of vacation pay of employees of cities and towns.	Cit.	N. G. C.	Ac.	-
H. 858	Increased salaries for engineers at the pumping stations of the Metropolitan Water and Sewer- age Board.	Met. Aff.	S. 540	-	-
H. 1048	Increased salary for the electrician and assist- ant engineers at the State Prison.	P. S.	L. W.	Ac.	-
H. 1283	Religious and political affiliations of applicants for positions as public school teachers not to be inquired into.	Ed.	L. W.	Bill sub. for L. W.	84 G.

12. PUBLIC EMPLOYMENT — *Continued.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
c. Hours of Labor.					
S. 81	Division into day and night forces of permanent municipal fire departments ("platoon system") (based on H. 1104, H. 1273, H. 1426).	Cit. Recons.	Rep. Rep.	Rej. by S. Rej. by S.	- -
S. 352	Acceptance of the eight hour law by the town of Westfield.	Ins.	Rep.	-	133 S.
H. 341	Maximum hours of labor of county employees in penal institutions.	Cos.	N. G. C.	Ac.	-
H. 697	Wages and hours of labor of certain employees of the Metropolitan Water and Sewerage Board.	Met. Aff.	N. G. C.	Ac.	-
H. 1104	Hours of duty of members of the Boston fire department.	Cit.	S. 81	-	-
H. 1273	Hours of labor of firemen in cities and towns ("platoon system").	Cit.	S. 81	-	-
H. 1426	Two platoon systems for the Boston fire department.	Cit.	S. 81	-	-
d. Vacation, Half-holidays and Days Off.					
S. 4	Days off for members of the Boston police department.	Cit.	N. G. C.	Ac.	-
S. 5	Days off for members of the Boston police department.	Cit.	N. G. C.	Ac.	-
S. 14	Annual vacations for laborers and others employed by the Metropolitan Water and Sewerage Board and the Metropolitan Park Commission.	Met. Aff.	N. G. C.	Ac.	-
S. 32	Vacations for laborers in cities and towns.	Cit.	Rep. Ch.	-	16 G.
H. 502	Annual vacations for city and town laborers.	Cit.	L. W.	Ac.	-
H. 551	Days off for members of police departments in certain cities.	Cit.	N. G. C.	Ac.	-
H. 598	Half-holidays for laborers and others employed by cities and towns.	Cit.	N. G. C.	Ac.	-
H. 599	Saturday half-holidays for city and town employees.	Cit.	N. G. C.	Ac.	-
H. 600	Janitors of public buildings in cities and towns not to be required to work more than six days in any one week.	P. S.	L. W.	Ac.	-
H. 601	Weekly half-holiday for laborers and teamsters employed by the city of Somerville.	Cit.	Rep.	Am. by H.	205 S.
H. 1153	Vacations and pay for holidays for persons employed on State printing.	La.	L. W.	Ac.	-
H. 1270	Days off for members of the Boston fire department.	Cit.	L. W.	Ac.	-
H. 1367	Saturday half-holidays for laborers, workmen and mechanics employed by the city of Newton.	Cit.	N. G. C.	Ac.	-
e. Preference to Citizens.					
S. 119	Preference because of military service.	P. S. Recons.	L. W. Rep.	- Am. by S. Am. by H.	- Veto. See S. 526
S. 526	Governor's veto of act relative to preferences because of military or naval service. ¹	-	-	-	- ¹
H. 54	Preference to citizens in employment in the construction of public works.	La.	L. W.	H. sub. bill for L. W.	-
H. 979	Preference to citizens in employment in the construction of public works.	H. W. & M. La.	H. 1935 L. W.	Ac.	-
H. 1041	Preference to citizens as keepers of almshouses in cities and towns.	P. I.	L. W.	Ac.	-
H. 1467	Legal residents only to be employed by cities and towns.	La.	L. W.	Ac.	-
H. 1935	Preference to citizens in employment in the construction of public works (based on H. 54).	H. W. & M. Recons. S. W. & M.	O. P. O. P. Ch. Rep.	- Am. by H. -	- - 260 G.

¹ See S. B. 119.

12. PUBLIC EMPLOYMENT—*Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
	f. Miscellaneous.				
S. 60	Title of watchmen employed by the Sergeant-at-Arms.	S. H. & L. S. B. 3d R.	Rep. N. D. S. 325	-	-
S. 325	Title of watchmen and assistant watchmen employed by the Sergeant-at-Arms (based on S. 60).	S. B. 3d R.	Rep.	Rej. by S.	-
H. 418	Employment of masonry mechanics as superintendent and inspector in the construction of public buildings.	Mer. Aff.	L. W.	Ac.	-
H. 884	Notice of discharge of State employees, . . .	P. S.	L. W.	Ac.	-
H. 1373	Removal, suspension or transfer of employees of certain State penal institutions.	P. S.	H. 2007	-	-
H. 1457	Bond to be required when bringing suit against police officers.	J. J.	L. W.	Ac.	-
H. 1469	Appointment of certain police officers, . . .	L. A.	L. W.	Ac.	-

13. PRISON LABOR.

S. 532	Establishment of county industrial farms (based on H. 1207).	S. W. & M. Cos.	O. P. O. P.	Am. by S.	-
H. 137	Taking of land for employment of prisoners thereon (based on H. 125).	P. I.	N. G. C.	Ac.	258 G.
H. 138	Employment of prisoners in reclaiming and cultivating land (based on H. 125).	P. I. H. W. & M.	Rep. Ch. N. D. H. 1737	-	-
H. 289	Compensation for prisoners injured during employment (based on H. 287).	J. J.	N. L.	Ac.	-
H. 877	Acquisition of land in Middlesex county, for the purpose of employing prisoners thereon.	P. I.	L. W.	Ac.	-
H. 1207	Establishment of county industrial farms, . . .	P. I. S. W. & M.	Rep. S. 532	-	-
H. 1502	Allowances of money to prisoners in the State prison.	P. I.	L. W.	Ac.	-
H. 1737	Employment of prisoners in reclaiming and cultivating land (based on H. 125, H. 138).	H. W. & M. S. W. & M.	Rep. Rep.	Am. by H.	-
				-	129 G.

14. LEGAL HOLIDAYS.

H. 64	Designating the twelfth day of February of each year a legal holiday to be known as "Lincoln Day".	L. A.	L. W.	Ac.	-
H. 674	Observance of Labor Day on the second Monday of September.	L. A.	L. W.	Ac.	-
H. 1158	Saturday afternoon to be a legal half-holiday.	L. A.	L. W.	Ac.	-
H. 1330	February 12 to be made a legal holiday, . . .	L. A.	L. W.	Ac.	-

15. SUNDAY LABOR AND WEEKLY DAY OF REST.

S. 511	Authorizing labor on the Lord's Day in household gardens.	L. A.	S. 530	-	-
S. 525	Raising and transportation of farm products on the Lord's Day.	L. A.	N. G. C.	Ac.	-
S. 530	Suspension of certain laws relating to the observance of the Lord's Day (based on S. 511).	L. A.	Rep.	S. sub. N. D. H. 2011	-
H. 51	One day's rest in seven for employees in hotels and restaurants. ¹	La.	L. W.	H. 573 sub. for L. W.	-
H. 573	One day off in seven for employees in hotels and restaurants. ¹	La.	L. W.	Moved to sub. S. 430 ¹	-

¹ See S. 430, H. 1468, H. 1538 under *Wages and Hours of Labor in Private Employment*, p. 118.

15. SUNDAY LABOR AND WEEKLY DAY OF REST—*Concluded.*

House or Senate Bill	SUBJECT MATTER.	Committee to which referred	Report of the Committee	Final Disposition	Chapter Number if Enacted
H. 839	Fishing on the Lord's Day to be allowed, .	L. A.	L. W.	Ac.	-
H. 1317	Exposure of photographic films on the Lord's Day.	L. A.	L. W.	Ac.	-
H. 1995	Cultivation of land and raising agricultural products on the Lord's Day.	L. A.	N. G. C.	Ac.	-
H. 2011	Agricultural labor on the Lord's Day, lawful, .	-	-	Sub. by S. for S. 530	207 G.

16. HOUSING OF WORKING PEOPLE.

H. 311	Homesteads for citizens,	S. W.	H. 2083	-	-
H. 288	Housing in public institutions of employees with families (based on H. 287).	P. I.	N. G. C.	Ac.	-
H. 1388	Aid to be given to settlers upon agricultural lands ("Homestead bonds").	S. W.	N. G. C.	Ac.	-
H. 2083	Homesteads for citizens (based on H. 311), .	S. W. H. W. & M. S. W. & M.	Rep. N. G. C. Rep.	- N. G. C. rej. -	- - 310 G.

17. IMMIGRANT LABOR.¹

S. 149	Establishment of a Massachusetts Board of Immigration.	Jt. Coms.	H. 2008	-	-
H. 913	Establishment of a commission to inquire into the condition, welfare, and industrial opportunities of immigrants and aliens in Massachusetts.	S. W.	L. W.	Ac.	-
H. 2008	Establishment of a Massachusetts Bureau of Immigration (based on S. 149).	Jt. Coms. H. W. & M.	Rep. O. P. Ch.	- N. D. H.	- -
H. 2146	Establishment of a Massachusetts Bureau of Immigration.	- S. W. & M.	- Rep.	2146 N. D. of H. 2008 -	- 321 G.

18. MISCELLANEOUS.

H. 55	Decisions of the Board of Labor and Industries in regard to strikes.	La.	L. W.	Ac.	-
H. 672	Furniture movers to report regarding removals,	L. A.	L. W.	Ac.	-
H. 810	Time to be allowed employees of certain establishments for voting.	E. L.	L. W.	Ac.	-
H. 1395	Dismissal, without notice, of employees on small salaries to be unlawful.	S. W.	L. W.	Ac.	-
H. 1519	Welfare work by corporations,	S. W.	L. W.	Ac.	-
H. 2138	Hours during which workmen's tickets may be used on street railways.	S. Rys.	N. G. C.	Ac.	-

¹ The bills here enumerated have been included because of their direct bearing upon the subject of immigrant labor. See also under *Preference to citizens*, p. 128.

III.

OPINION OF THE ATTORNEY-GENERAL ON PENDING
LEGISLATION.

AN ACT REQUIRING ALL EMPLOYERS TO INSURE UNDER THE
WORKMEN'S COMPENSATION ACT FOR THE PROTECTION OF
THEIR EMPLOYEES.

HOUSE DOCUMENT No. 2167.

The Commonwealth of Massachusetts.

DEPARTMENT OF THE ATTORNEY-GENERAL,
BOSTON, May 25, 1917.

HON. CHANNING H. COX, *Speaker of the House of Representatives.*

DEAR SIR: — I beg to acknowledge an Order from the honorable House of Representatives in the following form:

Ordered, That the House of Representatives hereby requests the opinion of the Attorney-General on the following question of law: Would House bill No. 973 of the current year, being "An Act to require all employers coming under the provisions of the workmen's compensation act to insure for the protection of their employees," if enacted into law be valid and in accordance with the provisions of the Constitution of the Commonwealth and of the United States?

The bill referred to is as follows:

SECTION 1. All employers shall secure compensation to their employees by becoming and continuing as subscribers in the association or in some stock or mutual liability insurance company authorized to do business within this commonwealth.

SECTION 2. If an employer shall be in default under the provisions of the preceding section for a period of thirty days, he may be enjoined by the superior court from carrying on his business while such default continues.

This bill, in my opinion, is not in proper form for enactment, since its meaning and application cannot be determined except by reference to the title. If the bill is to be enacted, section 1 should be so drawn as to refer in terms to the workmen's compensation act and its amendments. It has been called to my attention, however, that this bill has been referred to the next General Court, and, accordingly, I assume that my opinion is desired not so much with reference to a bill in this particular form as for use in connection with some legislative action looking toward the enactment of legislation along the general lines suggested by this bill. I therefore discuss the question presented by the order as a general proposition without reference to the particular phraseology of the bill.

I assume that the purpose of this order is to obtain an opinion as to whether a statute may be enacted requiring all persons having in their service employees who are entitled to the benefits of the workmen's compensation act (St. 1911, c. 751, and its amendments) to take out insurance under its provisions. In other words the question is, can the provisions of this statute, by which an employer is given the right to elect as to whether he will bring himself within the statute by subscribing to the Massachusetts Employees Association or insuring with some other liability insurance company, be so amended as to require him thus to insure without modifying the other features.

The workmen's compensation act now in force in this Commonwealth is entirely elective in character both as to employers and as to employees. An employer may insure under its provisions or not as he chooses. If he does not elect to do so, his employees in case of injury obtain more extensive rights against him than they would otherwise have, since, in that event, an employer is deprived of any defence on the ground that the employee was negligent, or that the injury was caused by a fellow servant, or that the employee assumed the risk. If the employer elects to insure, the employee is given the right to choose whether he will come within the provisions of the act and take the benefit of the insurance or not. On entering the employment or, if the employer insures after the employee has been hired, within thirty days after such insurance, the employee may claim his common law rights by notice in writing. If he fails to do so, he is held to have chosen to accept the benefits of the act. If he affirmatively elects not to accept the benefits of the act, in case of injury he obtains only his common law rights as they existed before the enactment of the employers' liability act. Thus it will be seen that the existing act gives both employer and employee a right to choose whether they will come within the provisions or not, although an attempt has been made to induce both parties to choose in favor of the act by making the results of that choice in the ordinary case more attractive than the results of the opposite course.

The effect of the proposed bill is merely to deprive the employer of his right to elect not to come within the provisions of the act. The bill requires him to subscribe to the Massachusetts Employees Association or otherwise to insure under the penalty of being enjoined from carrying on his business if he fails to do so. The bill, however, leaves the remainder of the act entirely unaffected, and thus still leaves to the employee the right, upon entering the service or upon notice that the employer is insured, to choose whether he will come within the provisions of the act or not.

The workmen's compensation act, as originally enacted, was sustained by the Supreme Judicial Court as constitutional, largely because of its elective character. *Opinion of the Justices*, 209 Mass. 607. *Young v. Duncan*, 218 Mass. 346.

The court has never had occasion to pass upon the question as to whether an act compulsory in any of its features could constitutionally be enacted. It is my opinion, however, that a law which requires all employers and employees who come within its scope to submit to its provisions is not beyond the power of the General Court if such act is properly drawn and properly limited. This is made plain, so far as the Federal Constitution is concerned, by two recent decisions of the United States Supreme Court.

In *New York Central R. R. Co. v. White*, 243 U. S. 188, the court unanimously sustained the workmen's compensation law of the State of New York. That law establishes forty-two groups of hazardous employments and requires all employers

and employees in such groups to comply with its provisions and to submit to the exclusive provisions for compensation which it establishes in case of personal injury. Aside from the fact that the law is compulsory in its application to all persons coming within its scope, the system of compensation provided and the method of administering it are analogous to those established by our act. This statute, however, permitted an employer to secure compensation to his employees by (1) insuring in a state fund established by the act; or (2) insuring in any stock or mutual insurance company authorized to transact such business in the state; or (3) paying the compensation provided by the act himself, the right to make this latter election being conditioned upon furnishing satisfactory proof to the commission of his financial ability to pay, and, if required, upon depositing security with the commission. The court held that it is within the power of the states entirely to set aside the rights and liabilities of employers and employees in accident cases as they exist at common law, at least provided that some reasonably just substitute is given therefor. It held that the substitute provided of compensation upon a fixed and reasonable basis in all cases of injury, whether with or without fault, short of intentional injury on the part of either the employer or employee, was not an unreasonable nor an arbitrary scheme. In view of the fact that this statute gave to an employer a reasonable opportunity to subject himself only to liability to his employees instead of bearing the burdens of all industrial accidents in industries of his class through insurance, none of the judges appear to have had any doubt as to the reasonable character of the statute in the liability which it imposed on employers.

In *Mountain Timber Co. v. Washington*, 243 U. S. 219, the court sustained the compensation act of the State of Washington; four justices dissenting. This statute was similar in character to the New York statute, and, like that statute, was applicable only to certain classes of employments expressly recognized as "extra hazardous". It differed, however, from the New York statute in one essential feature, namely, all employers were required to secure compensation to their employees through contributions to a state fund established by the act for the purpose of insuring payments of compensation under it. This statute was thus in all respects compulsory and required each employer coming within its scope to contribute toward the payment of compensation to all employees in industries of his class entirely without reference to whether they received their injuries in his employ or not. In dealing with this additional feature of the Washington statute the court says, —

We are clearly of the opinion that a State, in the exercise of its power to pass such legislation as reasonably is deemed to be necessary to promote the health, safety, and general welfare of its people, may regulate the carrying on of industrial occupations that frequently and inevitably produce personal injuries and disability with consequent loss of earning power among the men and women employed, and, occasionally, loss of life of those who have wives and children or other relations dependent upon them for support, and may require that these human losses shall be charged against the industry, either directly, as is done in the case of the act sustained in *New York Central R.R. Co. v. White*, *supra*, or by publicly administering the compensation and distributing the cost among the industries affected by means of a reasonable system of occupation taxes. The act cannot be deemed oppressive to any class of occupation, provided the scale of compensation is reasonable, unless the loss of human life and limb is found in experience to be so great that if charged to the industry it leaves no sufficient margin for reasonable profits. But certainly, if any industry involves so great a human wastage as to leave no fair profit beyond it, the State is at liberty, in the interest of the safety and welfare of its people, to prohibit such an industry altogether.

It is to be noted that in sustaining this statute the court emphasizes the fact that it is applicable only to persons engaged in "industrial occupations that frequently and inevitably produce personal injuries and disability"; or, in other words, to extra hazardous occupations. This emphasis strongly suggests that if this statute had applied to all occupations without reference to the hazard involved, it would have been declared invalid by the court.

These decisions of the Supreme Court of the United States make it plain that a workmen's compensation act enacted in this Commonwealth, applicable only to extra hazardous employments and compulsory as to all employers and employees engaged in such industries, would not be in violation of the Constitution of the United States.

The fundamental rights guaranteed by the Declaration of Rights of the Constitution of the Commonwealth are in substance the same as those protected by the Fourteenth Amendment to the Federal Constitution. In *Commonwealth v. Strauss*, 191 Mass. 545, 550, the Supreme Judicial Court said: —

The rights relied upon under the Fourteenth Amendment to the Constitution of the United States, and under the Declaration of Rights, in the Constitution of Massachusetts, are substantially the same.

Though our court, in interpreting and applying the provisions of the Constitution of the Commonwealth to such a statute, is the final authority and not bound by the decisions of the Supreme Court of the United States, yet in view of the high authority of that court and its clear reasoning in these cases it seems highly probable that our Supreme Judicial Court would arrive at the conclusion that such a statute is not inconsistent with our Declaration of Rights.

The enactment of such compulsory law would, however, raise one serious question not involved in the decisions referred to, namely, would a compulsory law, administered, like the present law, by a state board which determines all questions of fact, be a violation of the right to a trial by jury guaranteed by the Constitution of the Commonwealth. Article XV of the Declaration of Rights is as follows:

In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

It would seem that in the light of these decisions a controversy as to the extent of the injury of an employee and the amount of compensation which he is entitled to receive therefor under such an act is not a controversy concerning property, within the meaning of this provision; nor, in my opinion, is a proceeding before an industrial accident board for the arbitration of disputed questions of fact arising between an employee and an insurance company on a claim for compensation under a compulsory compensation act applicable to hazardous businesses a suit between two or more persons within the meaning of this provision. Neither the committee of arbitration provided for by the act nor the Industrial Accident Board is a court in the strict sense of the word, nor are their members judicial officers within the meaning of the Constitution. *Pigeon's Case*, 216 Mass. 51, 56. The proceedings before these bodies are hearings before administrative boards authorized to make determinations of fact in the administration of the act rather than trials of suits between two or more persons.

In my opinion, however, this matter need not be put on any narrow ground. In my judgment, it being held, as has been done by the Supreme Court of the United States, that actions of law between employers and employees in hazardous occupations may be abolished and a reasonable system of compensation administered by a public board substituted therefor, it would seem to follow that where such system has been established the constitutional right to a trial by jury of questions of fact relating to such matters no longer exists. Rights of action within the scope of the system have been abolished, and, therefore, there can be no suit between parties to be determined by a jury. As the court said in *Mountain Timber Co. v. Washington*, at p. 235, —

As between employee and employer the act abolishes all right of recovery in ordinary cases and therefore leaves nothing to be tried by jury.

This was also the view expressed by the Supreme Court of the State of Washington in sustaining the same law. *State v. Mountain Timber Co.*, 75 Washington, 581.

A fundamental feature of all workmen's compensation laws is that so far as possible they shall work automatically, the amount of compensation being readily ascertainable when the extent of the injury is known. It is essential to the proper administration of these laws that, except so far as questions of law arise, they should be executed without the intervention of the courts. To sustain as reasonable the scheme substituted for the common law liability of the employer and to deny the validity of a fundamental feature of its method of administration can be regarded only as an absurd result. In my opinion a properly limited compulsory workmen's compensation law would not be inconsistent with the provisions of our Constitution guaranteeing a trial by jury.

Accordingly, I reach the conclusion that a compulsory workmen's compensation law similar either to that in force in New York or in Washington would be valid if enacted in this Commonwealth.

The proposed legislation referred to in the order of the House does not, in my opinion, make the existing workmen's compensation law of this Commonwealth a compulsory law such as those I have described. House Bill No. 973, or any similar measure, if enacted into law, would apply its compulsory provisions only to employers. It would still leave to employees their right under the existing compensation act to elect their common law rights under the methods provided by the existing act, and thus to subject their employers to actions at law for damages in proper cases. Employers, on the other hand, would be required by such enactment to obtain insurance under the compensation act, and thus each employer would be required to bear his share of the burdens of all industrial accidents in his industry, whether caused to his employees or not, and at the same time be required to run the risk of suits by any of his employees who choose to claim their common law rights. The only remedy of the employer would be to refuse to hire or to discharge any person who claimed such rights. It seems to me that to make the law compulsory as to the employer and elective as to the employee is an arbitrary discrimination and not a reasonable application of the police power. It does not appear to find justification in any industrial condition that has been called to my attention.

Furthermore, our present compensation act applies to all employees except domestic servants and farm laborers. If the proposed compulsory insurance provisions were added to it every person in the Commonwealth having one or more employees other than domestic servants or farm laborers would be required to secure insurance under the act. This compulsory feature would apply to all employments whether to any

appreciable extent hazardous or not. The small merchant with one clerk, the business or professional man with but one stenographer, or with only an office boy, and every other business man in the Commonwealth, no matter how trivial were the risks run by his employees in the course of their employment, would be required to insure under the act. I know of no conditions which warrant any such compulsion. The decisions of the Supreme Court of the United States to which I have referred are largely based upon the fact that the laws there under consideration are confined in their operation to industries reasonably classified as extra hazardous. In my opinion a compulsory law applicable to all employees except domestic servants and farm laborers would be held to be unconstitutional as an unreasonable exercise of the police power.

The proposed bill is extremely broad in its terms, and appears to apply even to persons and corporations engaged in interstate commerce. Very recent decisions of the Supreme Court of the United States indicate that if given such a broad application the statute would be to that extent in violation of the Federal Constitution. If legislation of this sort is to be enacted, it should be expressly made inapplicable to persons engaged in interstate commerce.

If a valid compulsory workmen's compensation law is enacted, I can see no reason why an employer who fails to comply with its provisions may not be subjected to the penalty of an injunction restraining him from further conducting his business until he has so complied, in the general manner provided by the second section of this bill.

I feel under an obligation to reply to the order of the House of Representatives before the prorogation of the General Court, which I understand is likely to occur to-day. I regret that the shortness of time prevents a more mature consideration of a subject of such importance. Further reflection might modify some of the views I have herein expressed.

Yours very truly,

HENRY C. ATTWILL,
Attorney-General.

IV.

RECOMMENDATIONS CONCERNING LABOR IN THE INAUGURAL ADDRESS OF THE GOVERNOR, 1917.

SOCIAL INSURANCE AND OLD AGE PENSIONS.

I ask you to consider carefully certain forms of social insurance. I understand the term to mean in substance the insurance of society against its diseases, and that society should take wholly or in part upon itself the work of defending against certain well-defined evils which result from our modern system of production, the chief burdens of which have heretofore been left upon deserving people who are least able to bear them. Industrial accident insurance was established in Germany in 1884, and in Austria three years later, and afterward in all the other great countries of Europe from time to time until 1911. And yet it was not until the last-named year that it was established in America. This circumstance shows strikingly our deliberation in taking steps to adopt a form of social insurance which was inevitable under modern conditions. Under the old system the workingman was compelled to stand almost all the risks of his employment. He was even compelled to bear the burden of his injury when it resulted from the negligence of a fellow workman in whose employment he had no voice. Nothing could be more just than that ordinary accidents occurring in the conduct of a great industry should be reckoned as one of the costs of doing the business. Massachusetts has given recognition, tardy though it be, to the necessity of that kind of insurance.

In the other fields of social insurance we have done little or nothing. The sickness of workingmen, with the consequent expense of medical treatment and loss of pay, is responsible for more than six times the amount of dependency caused by industrial accidents. Without health insurance the burden of sickness falls wholly upon the workingman and his family. In order to make the loss as light as possible in the first instance, he is likely to do the thing which will make it heaviest in the end. He is apt to keep about his work after he has become ill, and even when compelled to stop he will often delay calling a physician. He will return to work sometimes before he is able to do so, and drag through his task to the permanent injury of his health. For the present wage, and to avoid the immediate expense, his health and strength, which are his capital, are impaired or squandered, and without them he cannot continue to work. Sometimes his loss of pay and the expense leave him heavily in debt, which is a source of worry so long as it remains, if indeed he ever emerges from it. Statistics show that the health of workingmen and their families as a group is poorly looked after. With proper medical supervision their condition would be very greatly improved. Germany has had a system of compulsory health insurance for many years, and during that time the increase in longevity has been at twice as high a percentage as in the other great countries where the system did not exist. It is not to be doubted that the condition of the health of the people of that Empire has been an important factor in the present war.

I am strongly of the opinion that there is no form of social insurance that is more humane, sounder in principle, and that would confer a greater benefit upon large groups of our population and upon the Commonwealth as a whole than health insurance. System and the wholesale scale on which the enterprise would be conducted would result in procuring medical care and attendance and the benefits of preventive medicine at far less cost and with far more effect than if the workingman were acting for himself alone. It may fairly be said to involve a mobilization of the physicians of the Commonwealth for concerted effort in the most systematic and comprehensive work we have ever undertaken for the general health. I recommend that you establish a compulsory system with a reasonable benefit during the period of sickness, and that the system be made to include members of the family, as is done in many of the German funds.

Another kind of social insurance that is pressing is aimed at the dependency of old age and is designed to make honorable provision for men and women who have wrought well during their lives and have grown old in the service. An effective way to guard against dependency in old age might seem to be through some common form of insurance, but voluntary systems have received only slight support and have done little to solve the problem. If very many take no thought of the morrow, very few will think of making provision for themselves if their lives should be prolonged into a new generation. Young men are not apt to provide for so remote an event as their old age. The present necessity outweighs the far distant contingency which may never happen. The real pangs of hunger will not put off being satisfied in order to provide for what may prove to be a hunger suffered in the imagination, and which cannot become real for a generation, if indeed it shall ever exist at all. It has been estimated that one payment of one hundred dollars at the age of twenty will provide one with an annuity of that amount payable for every year that he shall live after sixty-five, even if he should live to a hundred years. But who ever thinks to make such a payment? At present the only provision made in Massachusetts for the support of old people who are dependent is found in the provision of our poor laws for the support of paupers by cities and towns, with the primary duty upon the family, which may be enforced by a criminal penalty. The duty is upon us earnestly to consider whether, when one has exhausted himself in a life of honest toil, he does not deserve better of the Commonwealth than to be rated as a pauper. Here as in nearly all other forms of social insurance Germany has led the way and established a compulsory system contributed to by the insured, the employer and the State. A noncontributory system known as the old-age pension has been adopted by some of the colonies of Great Britain and also by the mother country.

Numerous objections have been urged against the old-age pension. It is claimed that whatever it may be called it is a form of outdoor poor relief. While it may be true that the recipients of the pension are in many cases kept out of poor houses, the pension is granted in recognition of long and meritorious service to society, and a recognition of that service approaches in honor the recognition of service in war.

It is also urged that it discourages the formation of habits of thrift and lessens the incentive to put by something for a rainy day. Surely, thrift is a great virtue and one that we in America especially need to cultivate. It lies at the foundation of the character of men and the greatness of States. With our profusion of resources, wastefulness and extravagance are far too often shown among us. To remove the natural spur to human activity, which leads men to fight their own battles and open new fields of

endeavor, and which is largely responsible for the forward movement of the world and the production of what we call civilization, would be in the highest degree immoral. But the old-age pension does not invite men to lay aside their ambitions and to rest upon the State. The amount of the pension granted by other governments is at the most very meagre. The largest grant made by the government of any great country is in Great Britain, and there the maximum amount is sixty-five dollars annually. There are few who would be tempted to throw aside their ambition to achieve a competency, lured by the narrow proportions of the old-age pension. And, further, the members of the groups to which it would practically be applicable work for wages which would not permit of saving upon any sufficient scale, and with little to save they would have little to squander.

Another objection put forward is that the old-age pension would weaken the sense of obligation which children are under to support their aged parents, and would tend to impair family solidarity. I am far from approving the attitude taken by some of the gentlemen writing in favor of the old-age pension, who make light of the filial sentiment, who treat it as antiquated and atavistic, and as if the social view it represents were altogether too old fashioned to be considered if it seemed to stand in the way of the argument in favor of a reform which they are urging.

I think the most of us would agree that when a father and mother have, with much privation and sacrifice, brought up and educated a family of children, it would be a reflection upon our human nature to say that a most serious obligation did not exist on the part of the grown-up children to care for their parents in their declining years. The family relation reaches into the past as well as the future, and the care with which a mother has watched over her child and has nursed him through his sicknesses will be requited by the child when he reaches man's estate, and it will be his proudest desire to care for her tenderly in her old age and not selfishly abandon her to the care of the State. Children who would fail to recognize such an obligation would prove that they were not worth the bringing up, and for States to act upon the principle of its nonexistence would show a decay in the moral fibre of the race. The word of nature as spoken in literature and history will need to be reversed when the "thankless child" can be regarded with toleration. The laws of Massachusetts proceed on a different theory, and recognize the duty of children who are able to do so to support their dependent parents.

But with regard to the old-age pension, very many of the recipients of it have no children at all. The children of many others are not upon a self-supporting basis. One of the advantages of the pension would be that it would enable the parents in many cases to live with their children and keep families unbroken. Thus family solidarity would not be impaired but preserved; and in cases where the pensioner had no children, the amount of his pension, added to the resources of a relative or neighbor, would help support the expense of a household, and enable him, without a sacrifice of his independence, to have the advantage of a home.

It is probably true that the span of human life is lengthening. The period of efficiency in the intellectual pursuits is certainly not becoming shorter. In the learned professions, in literature and art, in statesmanship, and even in the higher command of armies, men continue to reveal, as they have revealed for centuries, the most brilliant genius even to a great age. The opposite is true with regard to those fields of labor where modern methods speed up the human machine and compel it to run under a great strain. The languid life of the ancient shoemaker at his bench, fashioning a

shoe as if it were a work of art, as it often was, would lead to reflection and philosophy, and his occupation could be followed in his old age and would sustain him and make him happier than he could be in a life of idleness. The same was true of agriculture.

But the introduction of machinery wrought a revolution. Great industries of our time are carried on by machinery operated at high speed, and in some of them people are not able much beyond their prime to maintain the pace. It does not necessarily mean that they are worn out, but they cannot keep up with the demands of the modern methods of production, and thus they are thrown out of their accustomed work at a period of life and under circumstances when it is difficult, if not impossible, for them to acquire efficiency in a new calling. If they have not made provision before that time arrives they are likely to become dependent. Strictly a wage should be paid during the period in which one is ordinarily able to work in such employments which would support him for his whole life. Thirty years of labor with the fast flying machinery of our manufacturing establishments will enable the workingman to produce more than with the appliances just before our era he could have produced in many centuries. It is not economically just to credit to machinery the whole saving in production and leave the man a derelict at the end of his working time. There should be charged against it the damage done him as a producing agency as an element in the cost of production. If that element were not to be fairly represented in wages or in some other way we should have a deformed industrial system, which would absorb the vital forces of millions of men and then heartlessly cast them off with no hope of living out their days except through the charity of their fellow men. It would be just to assess against production the cost of providing for the care of the worker during the period after his invalidity should come. Either that or the wage should be adjusted so that in ordinary cases it would enable the worker to make provision for himself. So long as industry shall forge ahead with such speed and strain there will inevitably arise, before the coming of a uniform pensionable time, many cases of invalidity, some at a later and some at an earlier age. This invalidity must be distinguished from that which results from ordinary sickness or accident, and it means that the worker is worn out or rendered incapable of further production of the kind in which he has been engaged. This condition would seem to demand some form of insurance which would probably need to be compulsory in order to be effective. For what is classified generally as industrial insurance, premiums were paid in Massachusetts in 1915 to the amount of \$12,251,000, while the losses paid were only \$4,094,000, or about \$3 in premiums to each dollar of loss. An insurance made up of small policies, with the attendant expense of soliciting it and of making collections usually weekly or monthly in small sums, is "loaded" with an enormous charge for administration. This charge could be very largely done away with under a system of compulsory State insurance, and any profits of the business would be entirely saved to the insured.

The two common types of old-age insurance are well represented, the one by Germany, the other by Great Britain and her colonies. Germany has a contributory system. It seems to have worked well, and the law creating the annuity makes provision also for the needed funds without throwing a heavy burden upon the State. The scheme in its origin makes effective provision for its own financial demands. Great Britain has a noncontributory system, and without contribution pays to people over seventy years old graded annuities, of which the maximum is \$65 per year. Although the pension is not large, the aggregate charge upon the treasury is great, and

it has increased very much from the time of its inauguration. New Zealand pays a maximum pension twice as large, but it is to be noted that the State as an institution is greatly exploited in New Zealand. In the pursuit of its policies that country has piled up a public debt which on the basis of population would correspond with a debt of nearly two thousand millions of dollars in Massachusetts. Obviously we cannot safely follow such a light.

The issues comprehended under the term social insurance have arrived. I believe they should be met without delay. I feel sure, however, that we should proceed with moderation in order to proceed with safety. I am of opinion that an annuity should be paid by the State and its subordinate governments without contribution, to its deserving citizens seventy or more years of age who do not have children able to support them nor an income of more than \$200 a year, and who have been residents of the Commonwealth at least ten years.

I believe the old-age annuity should not much exceed the maximum pension paid in Great Britain. It is a new field in America and can much more easily be broadened if experience shall show that it is wise to do so than narrowed if a false step shall have been taken. It is better to proceed cautiously and in the light of the experience of the great nations, than to follow in the venturesome footsteps of countries that move too easily and may therefore move too far.

HOURS OF LABOR OF TOUR-WORKERS.

I renew the recommendation which I made a year ago in favor of reasonable limitation upon the hours of labor in industries continuously operated for twenty-four hours and where the service alternates between day and night. That recommendation was embodied at the last session in the so-called tour-workers' bill, and I recommend that it may receive favorable action at your hands.

EXTENSION OF THE CIVIL SERVICE.

One year ago I recommended that the civil service laws of the Commonwealth be put abreast of the best standards of the time. The functions of the Civil Service Commission were materially extended, but many positions in the State, and in the counties and municipalities, similar to positions already under civil service laws, still remain to be brought under them, and I recommend a wise extension of their scope by you.

V.

TABLE SHOWING DISPOSITION OF STATUTES CITED IN THIS BULLETIN.

NOTE. — References to chapters and sections refer to the statutes. Paragraph numbers refer to the paragraphs in this bulletin. In the column headed "chapter" the chapter numbers have not been repeated. Where a dash appears in the column headed "section" it indicates that reference is made to the entire act.

Revised Laws.			1907.			1910.		
CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.
8	5 (cl. 9)	1362	458	1	707B	268	1	1158
19	1	2	561	10	756	414	1	1335
	5	10	576	71 (¶ 1)	783B		2	1336
20	26	1219B					3	1337
44	1	378				445	—	{ 972
	2	379						{ 973
	4	384	589	4, 6	707I	554	1	987A
65	3	990A	590	38	959A	605	3	1067
	13	984	601	—	707A	608	—	2
	14	985				619	—	1—
	15	{ 986						
		{ 987						
	19	{ 989	514	17	408	37	—	1066
		{ 990				129	—	1391A
	20	991		21	{ 1173	136	—	1362
	22	992			{ 1225	251	3	675A
	23	994		37	1193	413	2	733
	24	995		48	{ 462	471	3	871
	25	996			{ 463			
	26	997		57	410		9 (cl. 2)	879A
	27	998		59	417	494	1	1193
	29	1000		61	415		4	1196
102	29	987A		66	418	532	1	696
165	80	1172A		68	478		5	701
225	88	1172B		78	342		6	702
	65	1350		89	329	562	7	279
	96	1312		90	330	607	1	128
				104	{ 197	624	1	1113
					{ 495	628	5	827
				112	497		12	825
				113	499	634	1 (¶ f)	714A
308	—	10		121	512A		6	714
				124	514	649	1	936B
				128	{ 577	656	1	1017
					{ 1286	727	7	856
			534	1	1070	751 Pt. II	4	591
				8	1067	Pt. II	5	592
				10	1065	Pt. II	8	599
				12	1066	Pt. II	9	594
				29	1069	Pt. III	3	38
463 Pt. II	168	1271				Pt. III	5	610
Pt. III	95	1239				Pt. III	7	613

¹ See note 1 at foot of p. 49.

1911 — Con.			1913 — Con.			1915 (General Acts) — Con.		
CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.
751	Pt. III 8	619	807	7	693	60	—	1219A
	Pt. III 10	615	813	8	25	62	—	959A
	Pt. III 11	616	817	1	714A			{ 115A
	Pt. III 12	617		3	714	65	1	{ 571A
	Pt. III 13	621	831	9	474	69	—	330
	Pt. III 14	625	832	1	707C	70	—	415
	Pt. IV 1	638		5	707D	74	—	25
				6	707E	75	—	497
				7	707F	76	—	1098
			833	1	1239	78	—	384
						81	1	378
							2	379
							—	707B
							1	1214A
							2	1214B
							3	1214C
						106	1-3	1092A
						108	—	972
						116	—	329
						117	—	342
						118	1	786
							2	{ 790A
							3	{ 790B
								789
							—	38
							—	128
							1	615A
							—	1352A
							1	1172A
							2	1172B
							—	1391A
							—	1390A
							—	783A
							—	1063A
							—	{ 1361
							—	{ 1361A
							1	672A
							2	672B
							3	672C
							—	{ 577
							—	{ 1286
							—	675A
							1	679A
							2	679B
							1, 2	1177A
							1	921A
							2	921B
							3	921C
							4	921D
							5	921E
							6	921F
							7	921G
							8	921H
							9	921I

¹ See note 2 at foot of p. 49.

1915 (General Acts) — Con.			1915 (General Acts) — Con.			1915 (General Acts) — Con.		
CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.
189	10	921J	259	8	1007A	292	5	517D
	11	921K		9	1014		6	521
197	1	707D		10	{ 279		7	522
	2	707E			{ 1013		8	{ 523
	3	702		11	1016			{ 525
198	1	696		12	1015		9	545B
	2	701		13	1 -		10	542
	3	707F	260	1	1323A		11	545
207	1	1335		2	1340A		12	546
	2	1336	266	1	935		13	³ 550A
	3	1337	268	1	792		14	517E
211	-	1017		2	794	294	1	885A
214	-	499A		3	796		2	885B
216	-	{ 197		4	795		3	885C
		{ 495		5	793		4	885D
219	1	499B		6	797		5	885E
	2	499C		7	798		6	885F
220	-	236A		8	798A		7	885G
225	1	921L		9	804		8	885H
	2	921M		10	805	295	1	1172A
	3	921N		11	806		2	1172B
	4	921O	12, 13	12, 13	799	296	1	1085A
	5	921P		14	800		2	1085B
	6	921Q		15	801		3	1085C
	7	921R		16	803		4	1085D
234	1	714A		17	802		5	1085E
	2	714			{ 808		6	1085F
236	1	590A		18	{ 810		7	1085G
244	1-3	683A		19	814		8	1085H
251	-	1113		20	819		9	1085I
253	1	{ 989		21	817		10	1085J
		{ 990		22	818		11	1085K
	2	991		23	821			
	3	992			{ 815	1915 (Special Acts).		
	4	994		24	{ 816	63	1	733
	5	995		25	820	116	1, 2	1120A
	6	996		26	² 822	127	-	196D
	7	1000	275	-	38	147	1	935A
	8	1000A	277	-	1239		2	935B
259	1	1001	287	-	675	189	-	183A
	2	1002		1	647A	270	1	694
	3	1003		2	647B	284	-	196F
	4	{ 1004	288	1	1216A	304	1, 2	707I
		{ 1008	292	1	517A	314	-	638
		{ 1005			{ 517B		2	663
	5	{ 1009		2	{ 524	1915 (Resolves).		
		{ 1010		3	517C			
		{ 1006			{ 526-	2	-	196C
	6	{ 1011		4	{ 528,	15	-	20A
		{ 1012			{ 529A	23	-	196E
	7	1007			{ 530	40	-	934A

¹ Acts, 1915, c. 259, § 13 repealed R. L., c. 102, §§ 78-86 and all acts and amendments thereof and in addition thereto. (See paragraphs 1001-1014 and 1016).

² Acts, 1909, c. 419 and Acts, 1914, c. 437 were repealed by Gen. Acts, 1915, c. 263, § 26. (See paragraphs 792-822).

³ Acts, 1915, c. 292, § 13 repealed R. L., c. 197, §§ 1-14 and 25-31. (See paragraphs 517A, 518-520, 522-528, 530, 531, 542-546, 549 and 550.)

1915 (Resolves).— Con.			1916 (General Acts) — Con.			1916 (Special Acts) — Con.		
CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.
60	—	1323B	229	—	497	296	2	1134
98	—	196G	238	1	707F	313	—	1102B
129	—	1396A	240	1	1193	350	1, 2	1102C
132	—	1137A		2	1196	351	1, 2	1102D
137	—	{ 1193A		3	1196A	360	1, 2	1102E
		{ 1216B	242	1	984	364	1, 2	1102F
				2	985	365	1, 2	1102G
1916 (General Acts).				3	{ 986,	1916 (Resolves).		
12	—	783B			{ 987	74	—	29A
14	—	499		4	437	92	—	58A
21	1-3	672D		5	449	94	—	1158A
29	—	1—		6	{ 989,	95	—	888A
48	—	{ 986		7	{ 990	106	—	926B
		{ 987		8	991	108	—	1356A
54	1-4	707G		9	994	117	—	926A
56	1, 2	1114A		10	995	118	—	1179A
	3-6	744C		11	996	139	—	744A
60	1, 2	707F		12	997	152	—	707H
65	1	236B			998	157	—	1411
66	—	417	254	1	1181B	164	—	1412
72	1	619	255	1	1181C			
75	—	744B	257	1	707C			
76	1	1312		2	707E	1917 (General Acts).		
82	1	390	258	—	1217	16	1, 2	1219C
88	—	718	267	1	1181A	41	—	1271
89	—	973	273	—	707A	50	—	936B
90	1, 2	591	278	1	1182A	61	1, 2	879A
95	1	408	293	1-3	1070B	72	1	311A
	2	410	297	1	2	84	1, 2	183B
	3	418		2	11A	86	—	1132A
104	1	1362		3	11B	94	—	3—
	2	1362A		4	11D	107	—	826A
		{ 736D		5	11E	108	—	827
113	1	{ 1113A		6	11C	110	—	478
		{ 311A	303	1	100	128	—	826B
115	1-3	1144A	306	1	517B	129	—	1361A
119	1	1000		2	517C	130	—	987A
120	6	1182E		3	{ 529A,	132	1	672E
126	—	1069			{ 530			{ 214
140	—	972		4	521	156	1	{ 215
143	1	517		5	542		2	233A
163	1, 2	697	307	1	693	176	1, 2	904A
164	1	1350	308	1	15A	191	—	4—
183	1	1—				194	—	523A
200	—	638A				198	—	592
	2	512A	1916 (Special Acts).			204	1, 2	838A
208	1	514	129	1	1211A	207	1	1370A
	2	512	144	1	1212A	213	—	517
	3	736B		2	1212B	215	1-5	870A
218	1, 2	1114B	174	1-5	936A		5	871
220	3	462	257	1, 2	736A	217	—	1158
222	—	856	268	1-3	736C	233	1	707C
224	—	719A	273	1, 2	1102A			707E
225	1		296	1	1133		2, 3	

¹ See note at foot of p. 36.² See note 1 at foot of p. 105.³ See note 1 at foot of p. 12.⁴ See note at foot of p. 37.

1917 (General Acts) — Con.			1917 (General Acts) — Con.			1917 (Special Acts) — Con.		
CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.	CHAP.	SEC.	PAR.
237	2	990A	297	8	617	271	—	1102L
247	1	912A		9	621	272	1-3	1102M
	2	913A		10	625	278	1, 2	1102N
	3	915	301	1, 2	1182B	281	—	2—
	4	915A	310	1-3	133B	288	1, 2	1102O
	5	916	321	1-3	1414	312	1, 2	1102P
	6	916A	323	1-4	1161A	327	1	707J
249	1	594	325	—	1—			
254	1, 2	1182D	342	24	29B			
258	1-5	1361B				1917 (Resolves).		
260	—	{ 1173	1917 (Special Acts).			1	—	682A
		{ 1225	11	—	1102H	4	—	933B
269	—	599	121	1-3	736I	6	—	682A
270	1, 2	736H	133	—	1196B	25	—	3—
272	1, 2	1181D	138	1-9	736E	28	—	926C
294	—	474	139	1-8	736F	43	—	1182C
297	1	35A	146	—	736A	59	—	940A
	2	{ 610	205	1, 2	1219D	81	—	926C
		{ 611	214	1, 2	736G	106	—	700A
	3	612	229	1	1113B	125	—	933A
	4	613	244	—	893	126	—	3—
	5	614	255	1, 2	1102I	128	—	4—
	6	615	256	1, 2	1102J	130	—	1413
	7	616	268	1, 2	1102K			

¹ See note at foot of p. 64.² See note at foot of p. 56.³ See note at foot of p. 73.⁴ See note at foot of p. 101.

VI.

INDEX TO THE LABOR LEGISLATION OF 1915, 1916, AND 1917.

NOTE. — Paragraph numbers refer to paragraphs as appearing in the first division of this bulletin (pages 9 to 114). Each enactment which is an amendment of an earlier enactment has been given the same paragraph number which the earlier enactment had in the Handbook of Labor Laws (issued as Labor Bulletin No. 104 and containing the labor legislation in effect at the close of the legislative session of 1914). Certain enactments which did not specifically amend any part of the text of the law, as published in the Handbook, but which bear, nevertheless, upon the subject matter contained therein, have been given the same paragraph numbers as those of the paragraphs in the Handbook to which they most nearly correspond, accompanied, however, by a capital letter A, B, etc., indicating that the later enactment is of a supplementary character.

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